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No. 71

House of Representatives

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

The Lord God is a sun and shield; the Lord will give grace and glory: no good thing will He withhold from them that walk uprightly.—Psalm 84: 11.

"Spirit of God descend upon my heart;
Wean it from earth: through all its
pulses move:

Stoop to my weakness, mighty as Thou
art:

And make me love Thee as I ought
to love."

Spirit of God descend upon my heart—
this is our morning prayer. Make us
daily aware of Thy presence and in Thy
spirit may we find the attitudes we need
for this day. Slow us down, Lord, slow us
down; we work too hard, we eat too fast,
we hurry too much. Help us to take
time to think clearly, time to pray sin-
cerely, and above all time to cultivate
the sense of Thy presence in our hearts
and in our homes. Then give us the faith
and the fortitude to walk uprightly in
Thy way, for the good of our Nation and
for the glory of Thy Holy Name, through
Jesus Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yes-
terday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Ar-
rington, one of its clerks, announced that
the Senate had passed with amend-
ments in which the concurrence of the
House is requested, a bill of the House
of the following title:

H.R. 14012. An act making supplemental
appropriations for the fiscal year ending
June 30, 1966, and for other purposes.

The message also announced that the
Senate insists upon its amendments to
the bill (H.R. 14012) entitled "An act
making supplemental appropriations for
the fiscal year ending June 30, 1966, and
for other purposes," requests a confer-
ence with the House on the disagreeing
votes of the two Houses thereon, and ap-
points Mr. PASTORE, Mr. HOLLAND, Mr.

HAYDEN, Mr. RUSSELL of Georgia, Mr.
ELLENLER, Mr. HILL, Mr. YOUNG of North
Dakota, Mr. SALTONSTALL, and Mr.
MUNDT to be the conferees on the part
of the Senate.

The message also announced that the
Senate agrees to the amendments of the
House to a bill and joint resolution of the
Senate of the following titles:

S. 518. An act for the relief of Joanna K.
Georgoulia; and

S.J. Res. 86. Joint resolution to authorize
the President to proclaim a "Day of Recog-
nition" for firefighters.

The message also announced that the
Presiding Officer of the Senate, pursuant
to Public Law 115, 78th Congress, en-
titled "An act to provide for the disposal
of certain records of the U.S. Govern-
ment," appointed Mr. MONRONEY and
Mr. CARLSON members of the Joint Select
Committee on the part of the Senate for
the Disposition of Executive Papers re-
ferred to in the report of the Archivist of
the United States numbered 66-14.

COMMITTEE ON GOVERNMENT OPERATIONS

Mr. MONAGAN. Mr. Speaker, I ask
unanimous consent that the Committee
on Government Operations may have
until midnight Friday, April 29, to file
certain investigative reports.

The SPEAKER. Without objection,
it is so ordered.

There was no objection.

(Mr. HANNA asked and was given per-
mission to extend his remarks at this
point in the RECORD.)

[Mr. HANNA addressed the House.
His remarks will appear hereafter in the
Appendix.]

NONSCHEDULED AIRLINE BUSINESS SHOULD BE INVESTIGATED BY CONGRESS

(Mr. WOLFF asked and was given per-
mission to address the House for 1 min-
ute and to revise and extend his re-
marks.)

Mr. WOLFF. Mr. Speaker, the Nation
was shocked by the crash last Friday of

a nonscheduled turboprop airliner that
brought flaming death to 76 young
Americans, including 4 young men
from my district, on an Oklahoma hill-
side.

Such tragedies happen all too often,
and it is high time that a complete and
thorough congressional investigation be
made of the entire nonscheduled airline
business. We have lived with these
crashes for years; it is now time to get
serious about setting stricter stand-
ards for the operation of these non-
scheduled aircraft.

Last Friday's disaster was one of a
series of nonscheduled disasters involving
service personnel. Some years ago a
large number of young men died in the
crash of a nonscheduled Constellation near
Richmond. Crew incompetence and
confusion were blamed.

Mr. Speaker, how long must the lives
of our young men be sacrificed in this
fashion?

I think the entire nonscheduled air-
craft business as well as the practice of
chartering nonscheduled aircraft to
transport military personnel should be
very closely reexamined.

We must stop these needless tragedies.

CORRECTION OF THE RECORD

Mr. RYAN. Mr. Speaker, I ask unan-
imous consent that the permanent bound
CONGRESSIONAL RECORD be corrected as
follows: April 20, 1966, page 8112, first
column, line 15, should read "ment. It
might well have been" and so forth.
This correction changes word "more" to
"ment"—Department—adds a period
and deletes words "before the Commu-
nity Relations Service is to be moved,"
and begins new sentence with "It might
well have" and so forth.

The SPEAKER. Without objection, it
is so ordered.

There was no objection.

SUBCOMMITTEE ON IRRIGATION AND RECLAMATION OF THE COM- MITTEE ON INTERIOR AND IN- SULAR AFFAIRS

Mr. ROGERS of Texas. Mr. Speaker,
I ask unanimous consent that the Sub-

committee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs be permitted to sit during general debate this afternoon.

The SPEAKER. Is there objection to the request of the gentleman from Texas? There was no objection.

A HEINOUS CRIME

(Mr. PELLY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PELLY. Mr. Speaker, yesterday the other body passed by one vote the administration's boondoggle program of rent subsidy. Passage of this program has been acclaimed a victory for the administration, but, in reality, we all know here today that the passage of this bill by one vote is a slap at the Johnson administration since it controls the Congress by a two-thirds majority. The manner in which this program passed the House is now legislative history. I am sure my colleagues recall that during the last session of Congress the House Appropriations Committee refused to recommend funds for this ill-advised program.

Mr. Speaker, when I arrived in my office this morning there was a telegram waiting from one of my constituents. This telegram read:

Has the Senate gone completely mad? The rent subsidy bill is a heinous crime against the self-supporting taxpayer.

To this telegram I add that this program is not only a heinous crime against the taxpayers; it is a crime against every living American.

What are we actually doing here? We are depriving the American people of initiative; one of the ingredients that made this country great. We are telling the people, "Don't work hard; don't strive to get ahead; don't plan for the future, because the Federal Government will provide for your every need and want."

Mr. Speaker, I firmly believe the American people will reject this type of program when they are given the chance.

CORRECTION OF THE RECORD

Mr. MOORE. Mr. Speaker, I ask unanimous consent to correct the Record of April 26, 1966.

Mr. Speaker, on April 26, 1966, in support of the Findley amendment to cut off from concessional sale advantage under title I or title IV of Public Law 480 any nation that furnishes supplies to North Vietnam or permits ships under its registry to ship the same, my statement in support of this amendment appears incorrectly and out of context on page 8542 of the Record. I desire that my statement be inserted in the Record in context and appropriately after the Findley amendment was offered on page 8549.

Mr. Speaker, I ask unanimous consent that the permanent Record of April 26, 1966, be corrected as I have indicated.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

APPLICATION OF THE SO-CALLED FINDLEY AMENDMENT

(Mr. FINDLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FINDLEY. Mr. Speaker, during consideration Tuesday of the so-called Findley amendment to deny concessional sales of U.S. surplus commodities to nations dealing with North Vietnam, some remarks were made suggesting that the amendment would have little if any effect and was in the realm of questionable "instant foreign policy."

Today's news developments show clearly what the amendment was all about and how it can be an instrument to tighten shipping into North Vietnam.

Poland, according to wire dispatches, is demanding that the United States pay damages on one of its ships allegedly damaged by our forces April 19 in Haiphong harbor, North Vietnam. This demand makes it obvious that Poland is indeed shipping goods to North Vietnam.

It is public knowledge that Poland is also actively seeking additional concessional deals from the United States under Public Law 480, and in the past has benefited under this law to the tune of at least one-half billion dollars.

If my amendment, which was adopted by this body, becomes law it will keep Communist Poland from having the best of both worlds, and I say it is high time.

My amendment would disqualify Poland from the attractive terms and big discounts under Public Law 480, which of course are financed by U.S. taxpayers.

Poland is presently trying to negotiate a purchase of tobacco under title IV of Public Law 480, because it wants long-term credit at outrate interest. Title IV now authorizes up to 5 years credit, with interest as low as three-fourths of 1 percent, and even that interest charge could be forgiven for 2 of the 5 years.

Unbelievably, the Johnson administration has asked for legislation which would let Poland have these same attractive terms for as long as 40 years.

This nonsense must stop. Why should our taxpayers continue to finance Communist governments which send supplies to those who are killing our own boys in South Vietnam?

USE OF NONSCHEDULED AIRLINERS BY THE DEPARTMENT OF DEFENSE

(Mr. RYAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RYAN. Mr. Speaker, I take this time to commend the gentleman from New York [Mr. WOLFF] for having raised the question of nonscheduled airlines. There should be an immediate investigation of the Government's relationship with those airlines. The crash last week was a tragedy. It reminds us that the U.S. Department of Defense is still contracting with nonscheduled airlines for the transportation of troops. I question this policy and would like to know why chartered planes are used to ferry American troops.

It seems to me the mission of carrying our troops by air should be done with U.S. Government planes, under Government supervision, and with Government pilots, and not be farmed out to non-scheduled airlines.

I urge the Secretary of Defense to make a full report to Congress and to the appropriate committees on this vital matter.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. DOWNING. Mr. Speaker, I ask unanimous consent that the Subcommittee on Maritime Education and Training of the Committee on Merchant Marine and Fisheries may be permitted to sit during general debate today.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

TRANSPORTATION, SALE, AND HANDLING OF DOGS AND CATS FOR RESEARCH PURPOSES

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 821 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 821

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13881) to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from California [Mr. SMITH], pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 821 provides an open rule with 2 hours of general debate for consideration of H.R. 13881, a bill to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes.

The purposes of H.R. 13881 are to protect the owners of dogs and cats from the theft of such pets, to prevent the use or sale of stolen animals for purposes of research or experimentation, and to establish humane standards for the treatment of these animals while they are on the way to medical research facilities. It

specifically authorizes the Secretary of Agriculture to regulate the transportation, purchase, sale, and handling in commerce of dogs and cats which are destined for use in research or experimentation.

Research facilities and laboratories last year used thousands of dogs and cats for which they paid many millions of dollars. This demand has given rise to a large network of dealers who oftentimes secure dogs and cats by simply combing the streets and picking up any animal they can catch. These dogs and cats are usually stripped of all identification and often moved across State lines to escape the jurisdiction of local and State laws.

Under H.R. 13881 the Secretary of Agriculture would issue licenses to both dealers and research facilities. The dealers would be required to keep records of their handling, transportation, purchase, and sale of dogs and cats. The research facilities would keep records of their purchase, sale, and transportation of dogs and cats acquired by them. The Secretary would specify humane methods of identification for the dogs and cats. The Secretary would prescribe humane standards to govern the transportation and handling of dogs and cats by the dealers but not by the research facilities.

In other words, the basic bill which the rule would authorize consideration of relates only to the sale, purchase and transportation of dogs and cats but does not provide whatsoever for any supervision or treatment of the animals while they are in the hands of the research facilities. That is, I hope, a subject which will be dealt with by later legislation. It is not dealt with by the legislation which would be authorized to be considered by this rule by this House.

Mr. HALEY. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to my able colleague from Florida [Mr. HALEY].

Mr. HALEY. Many Members of Congress have been interested in this kind of legislation for some time. It is my understanding that probably the committee bill combines many of the thoughts in numerous bills submitted by Members of Congress.

Mr. PEPPER. My able colleague is correct.

Mr. HALEY. May I say to my distinguished colleague from Florida, I believe this legislation is long overdue. This is something Congress should immediately pass.

Mr. PEPPER. I thank my able colleague for his support of this legislation.

It would be unlawful for a dealer or research facility to operate without a license, and a research facility could purchase dogs and cats only from a licensed dealer. Persons who do not meet the specifications of a dealer under this bill could voluntarily obtain a license if they showed the Secretary that their operation met the standards he prescribed.

Violations of the act could result in a \$500-per-day penalty, suspension or revocation of a dealer's license, the issuance of a cease and desist order, or a possible withdrawal of Federal aid to a research facility if the Federal agency administering the aid felt such withdrawal would not be contrary to the public interest.

Any person or research facility who objects to orders issued by the Secretary would have the right to file a petition of review of the order in the appropriate U.S. court of appeals.

Mr. Speaker, we have seen many heart-rending instances where pets have been picked up by unscrupulous dealers who are subject to no supervision or scrutiny of law and sold into channels of research. Meanwhile, while they are awaiting transportation to these facilities they are treated in the most barbaric and inhumane manner. This legislation, as my able colleague from Florida [Mr. HALEY] said, is long past due. The legislation which this rule will make in order for the House to consider is a composite of many bills on this subject, one of which is in my bill. I hope that the rule will be adopted. This legislation is making progress in the right direction, although I do not think it goes as far as it should; but certainly it represents substantial progress in the right direction. I hope the rule will be adopted and H.R. 13881 will be enacted by the House.

Mr. Speaker, I now yield to my able colleague from the Committee on Rules, the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Speaker, I yield myself such time as I may use.

(Mr. SMITH of California asked and was given permission to revise and extend his remarks.)

Mr. SMITH of California. Mr. Speaker, House Resolution 821 will provide 2 hours of debate under an open rule for the consideration of H.R. 13881, transportation, sale, and handling of dogs and cats for research purposes.

Mr. Speaker, the gentleman from Florida has explained the bill very ably, and rather than take additional time, I will insert my remarks in explanation of the bill and concur in his remarks.

The purposes of the bill are:

First, to protect dog and cat owners from theft;

Second, to prevent the use or sale of stolen animals for research purposes; and

Third, to establish humane standards for treatment of research animals.

The Secretary of Agriculture is authorized to regulate the transportation, purchase, sale, and handling of dogs and cats which are to be used for research and experimentation. Only dogs and cats are covered by the bill.

The increasing need for research animals has caused some suppliers to secure dogs and cats by picking them up on streets. The bill will require suppliers to keep records concerning dogs and cats supplied to research facilities. Humane methods of handling and transporting dogs and cats will be prescribed by the Secretary of Agriculture to apply to such dealers, but not to the research facilities. Dealers and research facilities must be licensed by the Secretary. Purchases of dogs and cats may be made only from licensed dealers.

Violations of the act or the Secretary's regulations can result in a \$500 per day fine, suspension or revocation of a license, an injunction, or withdrawal of Federal aid to a research facility. Ap-

peals from any order of the Secretary can be made to the U.S. court of appeals.

The estimated cost of the program is \$1,030,000 for the first year. Thereafter, the cost will be met by license fees as far as practicable.

The Department of Agriculture supports the bill; the Bureau of the Budget opposes it. There are no minority views.

I know of no opposition to the rule.

Mr. Speaker, I would now like to yield 2 minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, I know a number of us introduced bills for the humane treatment of animals last year. The distinguished gentleman from Florida [Mr. PEPPER] was one of those who introduced a bill, as did my colleague on my committee, the distinguished gentleman from Florida [Mr. ROGERS]. We had hearings on that legislation. However, since that time our committee has not been able to get further hearings on the bill. The distinguished gentleman from Texas [Mr. POAGE] introduced this bill, which, as far as it goes, I think is excellent. It does take care of animals up to the door of the laboratory. It does not do anything beyond the door of the laboratory.

May I say for the great research facilities of this country that 90 percent of them prescribe humane treatment of animals, and those people are all right. I think there is nothing we will find wrong with that great majority of the research laboratories of this country.

As an example, Mr. Speaker, during the Christmas vacation of 1965, I visited a laboratory in Decatur, Ill., of one of the large research companies located there. This was a new building, completed this last year. At that laboratory the animals were treated humanely.

Mr. Speaker, as the president of that company explained to me, unsatisfactory animals or unhealthy animals would be of no help to them.

Mr. Speaker, this is the kind of treatment all animals should receive.

Mr. Speaker, in about 10 percent of the research in the United States the humane treatment of animals is not followed. It is my opinion that it is to that 10 percent at which the legislation which the distinguished gentleman from Florida [Mr. PEPPER] and I introduced last year was designed to reach.

But, Mr. Speaker, I do recommend the Poage bill. I believe it represents good legislation as far as it goes. I am sorry that this appears to be the only legislation that we will get this year.

Mr. Speaker, I certainly want to recommend the legislation to my colleagues on both sides of the aisle—perhaps at a later date we can improve on the Poage bill.

CALL OF THE HOUSE

Mr. HALEY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 75]

| | | |
|-----------|----------------|----------------|
| Abbitt | Ellsworth | Moeller |
| Ashley | Evans, Colo. | Murray |
| Ayres | Fisher | Nix |
| Baring | Fulton, Tenn. | Pool |
| Beckworth | Fuqua | Powell |
| Betts | Gibbons | Reuss |
| Blatnik | Green, Oreg. | Rivers, Alaska |
| Boggs | Giffin | Roberts |
| Brademas | Griffiths | Roncallo |
| Bray | Halpern | Rooney, N.Y. |
| Burleson | Hays | Roudebush |
| Callaway | Holifield | Scott |
| Carter | Jarman | Sickles |
| Celler | Johnson, Okla. | Teague, Tex. |
| Conyers | Kelly | Toll |
| Corbett | Kluczyński | Ullman |
| Dawson | McMillan | White, Tex. |
| Delaney | Mathias | Williams |
| Dingell | Matsunaga | Willis |
| Dorn | Matthews | Wright |
| Downy | Mize | Wyatt |

The SPEAKER. On this roll call 374 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

LEGISLATIVE PROGRAM FOR WEEK OF MAY 2

(Mr. ARENDS asked and was given permission to address the House for 1 minute.)

Mr. ARENDS. Mr. Speaker, I ask for this time for the purpose of inquiring of the majority leader if he will kindly advise us as to the program for next week.

Mr. ALBERT. Mr. Speaker, will the distinguished gentlemen yield to me?

Mr. ARENDS. I yield to the gentleman from Oklahoma.

Mr. ALBERT. First of all, may I advise the Members that we expect to have a civil rights message this afternoon. There might be a quorum call, because the message will have to be read if it arrives here when the House is in session.

Now, responding to the inquiry of the gentleman from Illinois, Mr. Speaker, the program for next week is as follows:

Monday is Consent Calendar day and there is one suspension, H.R. 5305, authorizing the destruction of unfit Federal Reserve notes.

Also on Monday S. 1804, providing for two additional judges for the U.S. Court of Claims.

There are 11 unanimous consent bills from the Committee on Ways and Means, as follows:

H.R. 8376, continuing suspension of duty on cork insulation.

H.R. 8188, deduction of contributions for judicial reform.

H.R. 10998, continuing suspension of duty on heptanoic acid.

H.R. 11653, continuing suspension of duty on natural graphite.

H.R. 12262, continuing suspension of duty on shoe lathes.

H.R. 12328, continuing suspension of duty on tanning extracts.

H.R. 12461, continuing suspension of duty on certain istle.

H.R. 12463, continuing suspension of duty on chicory.

H.R. 12657, continuing suspension of duty on alumina and bauxite.

H.R. 12864, continuing suspension of duty on personal and household effects

brought into the United States under Government orders.

H.R. 12997, continuing suspension of duty on electrodes for use in producing aluminum.

Tuesday is Private Calendar day. Also on Tuesday H.R. 14324, the NASA authorization for fiscal year 1967.

For Wednesday and the balance of the week the Labor-HEW Appropriation Act for 1967. H.R. 14544, Participation Sales Act of 1966, which is subject to a rule. Also S. 2499, sale of participations in SBA loan pools, which is also subject to a rule, and H.R. 10027, situs picketing.

This announcement is made subject to the usual reservations that any further program may be announced later and conference reports may be brought up at any time. We may have another bill to add to the program if time permits.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week may be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. ALBERT. Mr. Speaker, on behalf of the gentleman from West Virginia [Mr. STAGGERS], I ask unanimous consent that the Committee on Interstate and Foreign Commerce may be permitted to sit today while the House is in session during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

COMMITTEE ON RULES

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PRESIDENT ACCUSES THE CONGRESS OF ATTEMPTING TO ADD \$3 BILLION TO HIS BUDGET

(Mr. ARENDS asked and was given permission to address the House for 1 minute, and to revise and extend his remarks.)

Mr. ARENDS. Mr. Speaker, yesterday the President accused the Congress of trying to add \$3 billion to his budget, indicating that this may force him to ask for a tax increase.

That accusation is as phony as the budget itself. I well recognize that the President is an astute politician, and adept at political maneuvering. He has no superior. But I resent this political attempt to have the people hold the Congress responsible for his own irrespon-

sible fiscal chicanery and political shenanigans that have brought about the prospects of a tax increase to combat the inflation spiral.

Mr. Speaker, the budget President Johnson submitted in January did not even include the billions he asked us in February to appropriate for Vietnam.

The President's budget did not call for any reduction in expenditures for his various Great Society programs of questionable merit. On the contrary, he urges that they proceed in a grand and glorious fashion, whatever the cost and whatever the waste already found to exist.

Where are the reductions in his budget? They are in long established programs of proven merit, such as school lunch and school milk and aid to impacted school areas. I venture to say that when he made those reductions he well knew that Congress would restore them.

It is in the area of national defense that the President would reduce spending. His Secretary of Defense has even deferred proper housing and hospitals for our servicemen. At the same time, President Johnson insists that we initiate programs that were designed to provide better housing for civilians at home.

If the President feels so strongly about the appropriations being made by the Congress, why does he not veto the bills? If he feels so strongly about reducing expenditures, why does not the President submit to us a priority listing of where reductions can be made?

Why does he not send a message to the Congress saying "Congress, stop this spending." His party controls this membership by a better than 2-to-1 ratio.

If Mr. Johnson is so intent upon holding down expenditures, why does he not lend his support to our Republican efforts to write into the appropriation bills a provision calling for a 5-percent reduction in what is spent of the amount appropriated, leaving to him the decision as to where to make the reduction. The record shows that over 90 percent of those on this side of the aisle favor such a provision and over 80 percent of the gentlemen on the other side oppose.

When the President attempts to blame the Congress, who, I ask, does he think he is fooling?

TRANSPORTATION, SALE, AND HANDLING OF DOGS AND CATS FOR RESEARCH PURPOSES

Mr. PEPPER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. POAGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 13881) to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended

to be used for purposes of research or experimentation, and for other purposes.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 13881, with Mr. DUNCAN of Oregon in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. POAGE] will be recognized for 1 hour and the gentleman from Minnesota [Mr. QUIE] will be recognized for 1 hour.

The Chair recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, for some time there has been a widespread feeling throughout this country that we needed to make at least two reforms in the movement of dogs and cats that are used in laboratory research work. In the first place, I think every right feeling person agrees that there should be more humane treatment of those animals in their handling and in the laboratories.

In the second place, every right thinking person believes we should take steps so far as it is within our jurisdiction to do so to prevent the ever-spreading selling of pets by unscrupulous dealers in animals to supply the ever-increasing needs of our laboratories.

This bill attempts to deal with both of these problems. It attempts to secure full and better protection from thieves and to try to get better treatment of the animals in the laboratories whether they are stolen or whether the animals are legitimately produced and furnished to such laboratories.

Now to go back in history for just a moment. The demand for dogs and cats, as the demand for other laboratory animals, has greatly increased in recent years. I think that is a good sign. It is a sign that our science is on the move. It is a sign that scientists throughout the country are making ever-increasing efforts to alleviate human suffering and here we come to one of the paradoxes—one of the crosscurrents—that we must face in trying to deal with this problem. We all want to protect our animals as much as we can from all of the unnecessary suffering and cruelty.

There are many who would want to go so far as to deny to our scientists the opportunity to have the necessary and much needed animals on which to make experiments that might lead to the prevention of human suffering. Sometimes you have to make this hard choice—and it is a choice between the suffering of animals and the suffering of children. Or the choice between the suffering of animals and the suffering of mankind as a whole. To me the choice has to be made in favor of the human beings. This bill makes that choice in favor of human beings rather than in favor of animals.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to my friend from Florida.

Mr. PEPPER. I believe the gentleman has correctly observed that insofar as the use of animals in laboratories is concerned, we must reserve the right to use animals for experimentation and research which experimentation and research may possibly redound to the benefit of human beings.

But in view of the fact that there are several of us who for some time have been trying to get hearings on proposed legislation and to have such legislation enacted to provide for the protection of animals in laboratories for experimental and research purposes, and to protect such animals against unnecessary cruelty and inhumane treatment, I thought it appropriate to rise at this time to emphasize and to stress the real purpose of these bills that we have been sponsoring.

We are not antivivisectionists although there are many conscientious and fine citizens in our country who are. Those of us who have been sponsoring these bills to which I have referred are not attempting to achieve the prohibition of the use of animals for experimental and research purposes.

We have been informed that some of the most grossly shocking practices exist where animals have been cut open and thrown out on a bench or have been just simply thrown out to die—and in some instances hung up on a nail—all with a callous disregard by the people handling these animals for the pain and suffering these animals endure.

I just wanted to say that the purpose of those bills which many of us are sponsoring, and which we hope will yet come to consideration in this House, is not to retard research, not in any sense of the word, nor to deny to laboratories and to research institutions the full use of all the animals that they feel should be employed, but to establish some standards of scrutiny and inspection so that unnecessary brutal, barbaric, callous cruelty might not be perpetrated upon those animals that are already condemned to this service of mankind as instruments of research.

Mr. POAGE. I should like to thank my colleague from Florida. I do want to point out that there are a great many Members of this House who have expressed their interest in this type of legislation. There is a wide spectrum of viewpoints. There are those who feel that we should do nothing more than simply attempt to deal with the problem of the theft of the dogs and cats. There are a number of bills pending before the committees of this House which go no further than imposing some restraints on the dealers in laboratory animals.

On the other hand, as the gentleman from Florida has pointed out, there are those who honestly and sincerely believe that we should not use animals at all for any kind of research purposes that involve any kind of pain. While I respect this viewpoint, I do not share it.

There are those who feel, as the gentleman from Florida does, that we should

attempt to carry control through the laboratories. Frankly, the measure that I originally introduced went further than this measure goes. But this measure does, I believe, pretty well represent a consensus, and I believe that this viewpoint is shared by a great many Members.

The distinguished gentlewoman from Washington [Mrs. MAX], has introduced an identical bill to my bill, and she supports this measure as I do. I believe the last count showed that there were exactly 50 bills before the Agriculture Committee, and I do not know how many before other committees. I know there are a number pending before other committees. There must be something like 60 or 70 bills, at least, introduced in this House.

We are trying to bring before the House today a measure that has the widest scope of support.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Pennsylvania.

Mr. DENT. The question that bothers me relates to the purpose or the intent of the legislation. I agree with you and believe that this is the right way to handle this particular matter. From experience I know that in some States and in some areas there is a very avid position taken by great numbers of people against vivisection as such. For many years there have been legislative bills introduced in State legislatures to bring about protection in States that have never yet allowed it.

In one particular State the sale of a dog for research purposes is illegal. The bills before the House would apparently preempt this field completely, and whether a State allows the sale of a dog or not, the Secretary of Commerce under the terms of this bill, could issue a license and a dog could be transported within a State, or from another State into that State, and could be sold for research purposes.

What would happen in a State where there is a law prohibiting the sale of animals for research purposes?

Mr. POAGE. It seems to me that if a dog were taken, either legally or illegally, from a State that prohibited the sale of animals for research purposes, and assuming the dog was moved out of the State, I would doubt that the State in which the theft occurred had any authority now, or would have after the passage of this bill. The State would have no authority over that dog after it was taken out of the State.

If the dog were sold within the State that had a law against such a sale, I think it would be a violation of the State law. It is now and it would continue to be a violation of the State law.

Mr. DENT. I just want to make the RECORD clear, because this has been a hot issue in my State.

We do use animals in research in our universities. There is no question about it. However, we do know that dogs come into the State. We know it, and everyone else knows it, but there has never been a law passed to repeal the law that forbids the sale of dogs and cats, or any other animals for research purposes.

According to the statement of the gentleman in answer to my question, this law will not allow the sale of dogs by a licensed person, licensed by the Secretary of Agriculture, in any State that forbids the sale of that particular animal for research purposes. Is that correct, or is it incorrect?

Mr. POAGE. This law does not prohibit the sale of dogs or cats. It requires a license from all dealers in dogs and cats. It requires a license from the laboratory that buys dogs and cats. It does not prohibit the laboratories from buying. It does not prohibit the sale of the animals.

Mr. DENT. I understand the law, and I know what the intent is. But are we now preempting this field and saying to the States that the Secretary can forbid the sale of dogs for research purposes after the passage of this bill? Or are we saying that there will be no right to stop the sale of dogs in this State?

Mr. POAGE. No. We are not saying that at all. We are only saying that dogs and cats cannot be transported in interstate commerce without a license to do so. If they are transported, they must be treated in a humane manner, as prescribed by the Secretary.

Mr. DENT. But there is in this bill, under section 3, a requirement for a license for a research facility to buy these dogs and cats. Would the Secretary under this bill be permitted to go into the State of Pennsylvania and license Temple University to buy dogs and cats from a licensed dealer from Maryland?

Mr. POAGE. Yes.

Mr. DENT. Then we are preempting the field?

Mr. POAGE. We would license them to do it, but if they do not have the authority to do it the license would not do much good.

Mr. DENT. This would give authority to the Secretary to license a research facility within a State to buy the animals. Are you saying that, notwithstanding the State law, this research facility may buy these animals?

Mr. POAGE. No. I will explain to the gentleman from Pennsylvania, that it will be against the Federal law for the laboratory to buy dogs or cats from an unlicensed dealer. This will not add to the authority to buy anything that is prohibited by State law. This will not say the facility may buy something more than it may buy today. Here we say simply that there is a limitation, and the limitation is that they may not buy from anyone except a licensed dealer.

Mr. DENT. Do I understand now that the statement you made will remain in the RECORD? If it will, I am satisfied to vote for the bill, if the statement is not revised later.

Mr. POAGE. The gentleman has my assurance that the explanation will remain in the RECORD.

Mr. DENT. I thank the gentleman.

Mr. POAGE. Mr. Chairman, I do not want to be rude to any of my colleagues, but I have not yet had an opportunity to make an explanation of this bill. I think that many of the questions that are coming up will be answered if I may

have the opportunity to outline the bill. I have already taken too much time, but I hope to answer the questions if I may explain the way we approached this problem. I would like to explain it, and then I will be happy to answer questions about it. I think that, if there is an understanding of what we are trying to do, probably we will understand the questions better.

A few moments ago I was saying that the Agriculture Committee attempted to meet these problems which we all agreed exist. This legislation should control the operations of those who deal with dogs and cats.

The original bill included more than dogs and cats.

It included all animals. But our committee was convinced that it was impractical to identify the multiplied millions of mice and hamsters and other kinds of animals that go into laboratories.

It was felt it would be rather foolish to extend it as far as I, as an original author, proposed; so the bill we bring to the House applies only to dogs and cats—the animals with which the real problem lies.

The bill will require that anyone who deals in these animals, who buys and sells them and transports them in interstate commerce, will be required to have a Federal license to engage in that business. It will require that he keep records as to acquisition and disposition of the dogs and cats. It will provide for the identification of the animals by appropriate means. Probably that will mean by tattoo, although we do not confine it to that, that being left to the Secretary.

There is legislation pending in another committee which requires a picture of each animal. We thought that went a little too far.

We believe that with this type of legislation it will become extremely difficult for anyone to come down the street and pick up the dog of a little girl and carry it off to sell it to a laboratory, without being apprehended.

In order to make certain that the laboratory will not provide an illicit market for these animals, we require that the laboratory have a license. Actually, the only requirement on the laboratory to qualify for the license is that it deal only with licensed dealers. The original bill would have gone further than that. It would have gone into the laboratory.

As I like to explain it, originally we would have followed the animal and kept the hand of the Government on the animal until the scientist reached out and took the animal by the leg and drew him onto his table. Now we will let the Government relax its grip on the animal when it goes through the doors of the laboratory.

I recognize that there are a few isolated cases of unconscionable abuse, such as the gentleman from Florida referred to, but I believe those are in the extreme minority. There are a few instances in hospitals of the United States where there are cases of unconscionable negligence of human patients, but certainly none of us would suggest we should send

a representative of the Federal Government in and stand over every bed at every operation in our hospitals in order to see that the hospitals are properly functioning, merely because there might be a case here or there of abuse.

There will be a few cases of abuse. That is human nature. I do not believe our scientists and our doctors are any worse than the average run of people. They are human beings. Most of them are compassionate and considerate. A few are not. Those few, of course, always bring reproach on many others.

This bill definitely will allow the operation of our scientific institutions.

I have in my hand a letter from the National Society of Medical Research, stating that they are for the bill without amendments.

I have another letter from the Animal Care Panel, stating that they are for the bill. They say, "We can live with it. We support it."

I believe it is significant that the scientific groups, recognizing a responsibility to society and to the animal kingdom, have recognized in this bill something they believe is practical, which they can and do support.

The bill will give substantial protection to our animals. It will go a long way toward breaking up the theft which cannot be reached by State law, when the thieves carry animals across State lines.

It does make those scientific and research establishments that might have some reluctance to do so cooperate with the enforcement of the law, because it requires them to carry a license. As I pointed out, the whole reason for doing that is so that we may secure their active cooperation, because they run the risk of losing their own license and of losing their Government support if they in turn deal with an unlicensed dealer. We think we have some very powerful sanctions here, because practically all of our research today is done with a great deal of Government support. We provide that these institutions, if they willfully and continually violate the terms of the license, will find themselves losing their Government support.

Mr. Chairman, we believe this thing can be enforced. We believe it will be enforced, and it will reduce animal suffering. We believe it will reduce human suffering, also, in terms of the loss of pets throughout the country. It seems to me that this legislation imposes no unfair burdens on any group, either the dealers or the laboratories. It is clearly in the public interest and has general support. I hope it will find general support among the Members of the House.

Mr. WAGGONER. Mr. Chairman, will the gentleman yield for a question?

Mr. POAGE. I yield to the gentleman from Louisiana.

Mr. WAGGONER. I thank the gentleman from Texas for yielding for a question. Authority is given to the Secretary to determine what would be considered substantial income to permit a dealer to operate without a license. Can the gentleman give us some indication of what would be considered by the Secretary to be substantial income?

Mr. POAGE. That is not quite what it does. It gives the Secretary the right to allow one whose major income is not from the sale of dogs and cats to sell animals without a license. The purpose of that and the reason for that is the feeling that there might be some farmer or some nonfarmer, for that matter, or a pound, for that matter, that might be producing some dogs and cats that they wanted to sell. Rather than require that person to go and get a license to sell a couple of litters of kittens, we provide that if that is not his business and he gets no substantial income from that, then he can make the sale without having a license as a dealer.

Mr. WAGGONNER. For guidance, would a man be considered to have substantial income from a source such as this if, for example, as much as 25 percent of his income were derived from the sale of such animals?

Mr. POAGE. I would be inclined to think it probably would; 25 percent of his total income is a pretty substantial amount of it, I would think.

Mr. WAGGONNER. Would the gentleman tell me what would be considered to be a reasonable fee to be charged the dealer and the research activity by the Secretary of Agriculture to allow them to continue their operations?

Mr. POAGE. The amount of the fee will depend as I see it on the number applying for license. In other words, the Secretary, if he licensed 100,000 obviously would charge a higher fee than if he licensed a quarter of a million. The cost would not increase in proportion to the number.

Mr. WAGGONNER. Is there any information available to the committee as to how many dealers conceivably would be licensed and how many research activities would be licensed?

Mr. POAGE. Our information was very vague. That is the very reason why we did not attempt to get any more specific than we did in this respect. We felt we were on thin ice when we undertook to guess at how many people were engaging in illicit activities. It is a pretty shaky guess and we did not want to try to guess at it.

Mr. WAGGONNER. Do we have any information available to the committee which can be given to the House as to what the estimated cost of administering this proposal would be?

Mr. POAGE. Yes; the Secretary has estimated that the program in its first year of operation would cost in the neighborhood of \$1,030,000.

Mr. WAGGONNER. Mr. Chairman, if the gentleman will yield further, do we have any reason to believe that these fees to the dealers and those research activities will be exorbitant, in the neighborhood of \$1,000 to \$2,000 per dealer per year, or any such figure as that?

Mr. POAGE. I believe we have plenty of evidence that they could not reach any such point, because you would have to have only 1,000 licenses issued at \$1,000 apiece to come up to the figure of \$1 million. We certainly know that there are many more than 1,000. The

figure would more likely be in the tens of thousands.

Mr. GROSS. Mr. Chairman, will the gentleman yield to me at this point?

Mr. POAGE. I shall yield to the gentleman in just one moment.

Mr. OLSON of Minnesota. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Minnesota, a member of the subcommittee and a member of the full Committee on Agriculture.

Mr. OLSON of Minnesota. Mr. Chairman, I would like to emphasize the very thorough consideration which the Committee on Agriculture gave to the subject and to point out, as the bill infers and as our hearings are headlined, that this is a bill to regulate the transportation, sale, and handling of dogs and cats, intended to be used for purposes of research and experimentation.

Now, Mr. Chairman, the committee has responded to the very clearly demonstrated need to curb the abuses in this specific area.

Mr. Chairman, I just wanted to bring to the attention of the Members of the House the fact that it was not possible to read all of the mail which the committee received on this subject. However, the mail received did overwhelmingly, and I thought almost in total, refer to the very clear feeling that the need was prevalent to the effect that we had to regulate the persons who provided animals for research and experimentation, and to curbe the abuses in the area of stealing and the transportation and housing of dogs and cats.

Mr. Chairman, this is exactly what the committee did.

Mr. Chairman, the committee did not feel, in all wisdom and in considering this matter very thoroughly, that it could substantiate the position of going any further than this.

Mr. Chairman, I believe the gentleman from Texas [Mr. Poage], just pointed out this question in his colloquy, that there is a point beyond which we cannot go.

Mr. Chairman, in summation I would like to point out that we have treated the subject insofar as the demonstrated needs are concerned.

Mr. POAGE. I thank the gentleman from Minnesota.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Iowa.

Mr. GROSS. I thank the gentleman for yielding.

I am sure that legislation in this field is sorely needed. The question I raise with reference to the matter of fees is whether predicating fees upon administrative costs is not an incentive to the Secretary of Agriculture to do some empire building in the matter of personnel.

Mr. POAGE. I think the gentleman from Iowa makes a perfectly sound point. But I believe it is a point that exists every time we provide any kind of new activity. I, too, hope we can find a better method of handling this matter. With some experience, I am sure we can.

However, Mr. Chairman, we felt that

if we were going to control an obvious evil, we were going to have to put considerable appropriations into it, or enough funds with which to do the job, and we hope to raise the required funds through the imposition of fees.

Mr. GROSS. If the gentleman will yield further, I agree with that, but I am not so sure that leaving the question of license fees entirely to the discretion of the Secretary of Agriculture and predicating the amount of those fees upon administrative costs is exactly a good way to do it.

Offhand, I do not have any suggestion other than if the committee developed any evidence in the course of hearings as to the number of dealers so that there might be a fee fixed in the bill for the first year in order to get the program started.

Mr. Chairman, I would like to apply some brakes to it. I would dislike to see created in the Department of Agriculture an administrative monstrosity, with overflowing employees, and, of course, the taxpayers would foot the bills.

Mrs. MAY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman.

Mrs. MAY. I have asked the gentleman to yield so that I might be somewhat more responsive in answering the question put by my colleague, the gentleman from Iowa.

In section 17 we have tried to spell out, as reasonably as we can at this time, guidelines in this fee area. In the absence of proven numbers of dealers that might be involved here we felt this was as far as we could go. We are going to be in an experimental stage with this legislation for its first year. But we have added that any additional funds which may be needed to administer this legislation are authorized to be appropriated by the Congress from time to time.

This means, of course, that the Department of Agriculture would have to come back to us with the numbers of dealers that they might find by that time that had to be licensed. We would then have some idea of where we are going, how we can set reasonably graduated fees and still cover the costs of administration.

As my colleague, the gentleman from Texas has pointed out—in the absence of well-developed evidence, we had to make the language flexible in this section. I would tell my colleague, the gentleman from Iowa, when this bill, if it is passed, has been in effect for a year or so then we will have reliable information on which to base setting of fees for licensing.

Mr. GROSS. Mr. Chairman, will the gentleman yield further?

Mr. POAGE. I yield to the gentleman from Iowa.

Mr. GROSS. I appreciate the explanation of the able gentlewoman.

But is there anything in the bill in any way seeking cooperation on the part of the States in the matter of inspection and in the matter of surveillance of this program?

It seems to me that the use of presently employed inspectors, Federal and

State, would obviate the need for a widespread inspection service on the part of the Federal Department of Agriculture.

Mr. POAGE. There is in the bill authority granted to the Secretary to cooperate with State and local agencies to effectuate the purposes of the bill. But I would have to confess to the gentleman from Iowa that I do not feel that that or any other language is going to alleviate the burden materially because there are no inspectors that I know of inspecting the stealing of dogs and cats or inspecting laboratories today. So I think whether you took some existing livestock inspector and assigned him to this duty or take care of it in the manner as provided in this legislation, it would amount to the same expense.

Mr. GROSS. I would say to my friend, the gentleman from Texas, I am looking for ways to hold down the cost of this program.

Mr. POAGE. I think the gentleman is correct.

Mr. GROSS. I am sure the subcommittee and the full Committee on Agriculture will scrutinize carefully the operation of this program after the end of the first year of operation of the program, and I think this is most important.

If I may ask my colleague one further question. I assume that section 10, which permits a 5-day period in which no sale may be made by a dealer from the time of acquiring a dog or cat—I assume that provision is for the purpose of giving anyone who loses an animal, either by theft or the animal having strayed, an opportunity to notify the authorities and reclaim the animal?

Mr. POAGE. That is the purpose. It is to try to prevent somebody from simply running in and stealing a dog and running out and selling it before anybody can trace it.

Mr. GROSS. Does the gentleman think that 5 days is quite enough time?

Mr. POAGE. We are not at all certain that it is. But it is just like the rest of this—we are not at all certain that it will do the job but it is the best judgment we have. If it is not enough—

Mrs. MAY. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman.

Mrs. MAY. I would point out that the language in section 10 says: "within a period of 5 business days"—or—"within such other period as may be specified by the Secretary."

It may be that the Secretary will in his wisdom think that 5 days is not long enough and we give him the authorization to set another period of time.

Mr. PEPPER. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman.

Mr. PEPPER. First, I wish to comment my able friend and distinguished colleague, the gentleman from New York [Mr. RESNICK] for having been the leader in the introduction of legislation in this particular field and also commend the able gentleman from Texas who is now addressing the House and his colleagues on the committee for bringing this measure to the floor of the House for our

consideration today—although many of us think it does not go far enough in its detailed provisions.

But, Mr. Chairman, I would like for the purposes of the Record and for the clarification of the intent of the bill as it is brought to the floor of the House to ask the able gentleman from Texas three or four questions.

First, if I understand correctly, this bill only goes as far as the laboratory door and does not purport to regulate or in any way at all provide for supervision over the animals while they are in the laboratory?

Mr. POAGE. That is definitely correct.

Mr. PEPPER. So that if those of us who are sponsoring legislation which we hope will eventually provide some protection against unnecessary cruelties and barbarities in the laboratory should come up with such legislation in the future, it cannot properly be said that this bill has already preempted that field?

Mr. POAGE. No, this bill stops at the laboratory door.

Mr. PEPPER. If the gentleman will yield further, my next question is as follows: I am informed that the Government of the United States provides about two-thirds of the funds for research in this country, and that the Government itself, through its own departments and agencies, is the largest user of animals for research and in laboratories. Would the able gentleman tell me whether the definition "research facility" on page 3 of the bill, section 2, subsection (1) would include the Government of the United States through its several departments and agencies?

Mr. POAGE. It is definitely the intention of the committee, and I think it clearly does it.

Mr. PEPPER. I thank the able gentleman.

If the able gentleman will yield further, does the term "dealer" which appears in subparagraph (g) of section 2 on page 3 cover auctioneer, also?

Mr. POAGE. Yes; that is our understanding, and I am sure that that is correct, that it does include them as a "dealer."

Mr. PEPPER. If the gentleman will yield further, I direct his attention to section 5 on page 4 of the bill and ask if the word "handling" is intended to cover any handling or anything that the dealer might do with respect to the custody or care of the animals while they are in his custody and before they are delivered either to a public carrier or to the research facility?

Mr. POAGE. Yes; it is intended to include both the care or treatment and the sale.

Mr. PEPPER. So that the Secretary under the bill would have authority to provide humane standards that must be observed by the dealer while the animals are in his custody after they are received and before they are delivered to the carrier or to the research facility?

Mr. POAGE. Very definitely.

Mr. PEPPER. I thank the able gentleman.

My last question is as follows: It is, we believe, of very serious concern to

many people who are zealous about the proper protection of animals as to whether this bill has enough teeth in it, and whether or not the enforcement machinery which is provided in the bill is adequate to protect animals against inhumane treatment.

I noticed that subparagraph (b), section 12, on page 7 of the bill provides:

(b) If the Secretary has reason to believe that any person licensed as a dealer has violated or is violating any provision of this Act or any of the rules or regulations promulgated by the Secretary hereunder, the Secretary may suspend such person's license temporarily, but not to exceed twenty-one days, and, after notice and opportunity for hearing, may suspend for such additional period as he may specify, or revoke, such license if such violation is determined to have occurred and may make an order that such person shall cease and desist from continuing such violation.

The Secretary may exercise that authority.

In section 14 on page 8 of the bill it is provided:

Sec. 14. Any research facility or dealer who operates without a license from the Secretary issued pursuant to this Act or while such license is suspended or revoked, and any research facility, dealer, or person licensed as a dealer pursuant to the second sentence of section 6 who knowingly fails to obey a cease-and-desist order made by the Secretary under the provisions of section 12 of this Act shall forfeit to the United States the sum of \$500 for each offense and each day of operating without a valid license or failing to obey a cease-and-desist order shall constitute a separate offense.

There is no penalty provided against the dealer or the laboratory which fails to observe the law provided in this bill or the rules and regulations of the Secretary. The Secretary can only suspend or order a cease-and-desist action on the part of the dealer or the laboratory.

The fine apparently shall be forfeited if the dealer, for example, fails to get a license or operate as a dealer after a cease and desist order has been issued against him.

That is a basis that has given a lot of concern to the advocates of the purpose of this bill. I know the able gentleman has been very solicitous about these animals, and I ask the able gentleman if he feels that this enforcement machinery is sufficiently effective—that it will require dealers, for example, to observe the regulations and rules of the Secretary, and will give proper protection to the animals without there being some criminal liability on the part of the dealer for such wrongful conduct?

Mr. POAGE. The committee considered that very carefully. We believe we have followed the most effective measure of securing cooperation and compliance on the part of these dealers. We have long recognized that simply the imposition of extreme criminal penalties, that cannot be enforced, does not achieve very much. We have not felt it wise to use simply criminal penalties.

The able gentleman from Florida will remember that a few years ago we passed a humane slaughter law through this Congress. It has no criminal penalties. There is no criminal penalty in the Humane Slaughter Act, and yet it has

been very successful. I know of no packers who are engaged in interstate commerce who are violating the Humane Slaughter Act. I have heard no complaints.

We believe that, had we relied on criminal penalties, probably results would not have been as desirable. That is why we avoided criminal penalties. But we think we have sanctions that are much more effective than imposition of fines and prison sentences.

We believe that, by giving the Secretary the right to suspend or cancel a license, we give the Secretary the control that he needs, because when a license is suspended and the dealer continues to operate, he is subject to the financial burden or the penalty provision that the gentleman properly read in section 14.

Mr. PEPPER. Will the able gentleman allow me one more observation?

Mr. POAGE. Certainly.

Mr. PEPPER. Mr. Chairman, the gentleman pointed out the case of the humane slaughter legislation. However, these packinghouses are ordinarily large institutions, where the Secretary or the supervising authority can keep constant supervision.

Mr. POAGE. Yes.

Mr. PEPPER. I do not know whether this bill provides the funds for the Secretary of Agriculture to keep rather constant supervision and scrutiny over these dealers. I rather feel that the Secretary may not hear about violations until the harm has already been done, and there will be not enough supervision and not enough inspection on the Secretary's part.

If there were a criminal penalty involved, anybody who observed any wrongful conduct could go tell the prosecuting attorney about it, and he is always available.

Can the able gentleman give us any assurance that there are ample authority and ample funds provided, or sufficiently strong admonition given to the Secretary that it will be his duty to see that there is such constancy of supervision as to keep him informed about what is going on, so he can take measures of redress which are provided in this bill?

Mr. POAGE. Probably I should direct to the attention of my friend from Florida the fact that my friend from Iowa just questioned me a few moments ago about the probability that we were spending too much, and that the Secretary was being invited to go too far, and to employ too many inspectors.

We have got to follow what we believe to be a practical course. It is perfectly true that we can provide a law that you must have an inspector in every laboratory, and that you must have somebody meet and examine each shipment of dogs and cats as they come into the laboratories.

That would run into a stupendous expense. It is exactly the thing the gentleman from Iowa undoubtedly fears. It would meet the fear of the gentleman from Florida. Both fears are of course reasonable and well-founded, and there

is a possibility this might go in either direction.

The committee tried to follow a moderate, reasonable, middle course which would achieve results at a reasonable expense, and would result in getting something done, because we felt we would much prefer to get a bit of something than to come out with all of nothing. We believed that was about the choice we had.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I will yield, and I suggest that I hope this will be the last question.

Mr. CRAMER. Mr. Chairman, I should like to ask the gentleman a question.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Maryland.

Mr. LONG of Maryland. I wish to congratulate the gentleman from Florida for raising the point about the difference between the type of person who operates under the Humane Slaughter Act and the type of person who is selling cats and dogs. There is a great difference in my own district in Maryland and in other parts of Maryland, where shocking cases have been uncovered, which seem to indicate the type of person we are dealing with in the cat and dog business is a long way from the responsible, reputable person. In fact, some of them give the impression of being nothing short of degenerate.

I wonder whether enforcement at the buying end will be adequate to catch up with these people? I wonder whether it will not be necessary actually to supervise and enforce this at the level of the person who is involved?

Mr. POAGE. I believe the gentleman's question is the same as that asked by the gentleman from Florida. I believe my answer would have to be the same. We believe there will be a reasonable amount of enforcement, without becoming rabid on the matter.

Mr. LONG of Maryland. I would be inclined to question that, but of course I will support the legislation.

Mr. HELSTOSKI. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield for one short question.

Mr. HELSTOSKI. In this particular legislation there is no prohibition on the auctioneering or sale by the pound of the animals?

Mr. POAGE. There is no prohibition against sale at auctions or by the pound.

Perhaps I should comment on that, because that has been raised by a number of people. Our committee has never understood why. We have found, from experience in the livestock business, that the auction sales are the best places to detect violations of the law. We have found that the auction sales are the only means whereby we have enforced a good many of our supervisory laws over livestock, because at the auction there is an opportunity to supervise a great many people at one time and to save a great deal of expense and to do a great deal

of the control work in a concentrated manner.

Coming back to the question of responsibility, which was raised, the auction operator normally has such an investment that he must protect it by operating in a responsible manner. This is the best way we have found to ferret out a great many violations, so we made no prohibition.

Mr. Chairman, I feel now I must yield time to my colleagues.

Mr. CRAMER. Mr. Chairman, I wish the gentleman would yield to this side, occasionally. I have been standing a half hour.

Mr. POAGE. I wish that I could continue the discussion but the gentleman's side has an hour's time and that is exactly the time we have.

Mr. COOLEY. Mr. Chairman, our able colleague, Hon. Bob Poage, vice chairman of the House Committee on Agriculture, has presented thoroughly and forcefully the provisions and purposes of this legislation now before us. I take this moment to commend the gentleman from Texas for the work and thought he and his subcommittee have devoted to the development of this bill.

This is not a matter to be taken lightly. It embraces and involves the feelings, the emotions of millions of us who are devoted to man's truest friends in the animal kingdom.

Mr. Chairman, it is appropriate here now, in consideration of this legislation, to read into the RECORD the unforgettable tribute to a dog uttered by Senator George Graham Vest, of Missouri, in a plea before a jury more than half a century ago. Senator Vest was a member of the Confederate Congress, and he served in the U.S. Senate from 1879 to 1903. This is his tribute to a dog:

Gentlemen of the jury, the best friend a man has in this world may turn against him and become his enemy. His son and daughter that he has reared with loving care may become ungrateful. Those who are nearest and dearest to us, those whom we trust with our happiness and our good name, may become traitors to their faith. The money that a man has he may lose. It flies away from him when he may need it most. Man's reputation may be sacrificed in a moment of ill-considered action. The people who are prone to fall on their knees and do us honor when success is with us may be the first to throw the stone of malice when failure settles its cloud upon our heads. The one absolutely unselfish friend a man may have in this selfish world, the one that never deserts him, the one that never becomes ungrateful or treacherous, is the dog.

Gentlemen of the jury, the man's dog stands beside him in prosperity and poverty, in health and in sickness. He will sleep on the cold ground, when the winter winds blow and snow drives fiercely, if only he may be near his master's side. He will kiss the hand that has no food to offer, he will lick the wounds and sores that come in encounter with the roughness of the world. He guards the sleep of his pauper master as if he were a prince.

When all other friends desert, he remains. When riches take wings and reputation falls to pieces he is as constant in his love as the sun in its journey through the heavens. If fortune drives the master forth an outcast into the world, friendless and homeless, the faithful dog asks no higher privilege than

that of accompanying him to guard him against danger, to fight against his enemies, and when the last scene of all comes, and death takes his master in its embrace, and his body is laid away in the cold ground, no matter if all other friends pursue their way, there by his graveside will the noble dog be found, his head between his paws, his eyes sad and open in alert watchfulness, faithful and true, even to death.

Mr. Chairman, since this legislation first was introduced in the House, our Committee on Agriculture, which it is my honor to serve as chairman, has received some 30,000 communications—telegrams, letters, postal cards—in support of it. I have known very few pieces of legislation, in my 32 years in the Congress, that have evoked such wide public interest and response.

Some 45 bills were introduced on humane treatment of dogs, cats, and other animals. They were referred to our Livestock Subcommittee, of which Mr. POAGE is the chairman. The subcommittee heard or received statements from approximately 150 witnesses. It then perfected the legislation which is presented here today.

This legislation, we all hope, will stop the racket in stolen pets, while causing no interruption in medical and research purposes. It is an expression of the conscience of this Nation that animals must be treated humanely.

Mr. Chairman, I commend the gentleman from Texas and all his associates in the development of this legislation. I am certain that their splendid work will receive overwhelming approval in the House today.

Mr. QUIE. Mr. Chairman, I yield 10 minutes to the gentlewoman from Washington [Mrs. MAY].

(Mrs. MAY asked and was given permission to revise and extend her remarks.)

Mr. CRAMER. Mr. Chairman, will the gentlewoman from Washington yield so that we may have continuity in the RECORD?

Mrs. MAY. I am glad to yield to my colleague from Florida before I begin my remarks.

Mr. CRAMER. I thank the gentlewoman. I joined with my distinguished colleague from Florida in introducing a humane treatment bill as well as a pet-naping bill. I am equally interested in the problem.

I hope this bill is adequate and, if it is not, that it will be properly amended to do the job with respect to the illegal and improper transportation of animals, and in particular something about pet-naping.

The question I have to ask of the distinguished chairman or author of the bill, the gentleman from Texas [Mr. POAGE], is this, if he will be kind enough to give me his attention. What disturbs me with respect to this is whether or not the bill actually provides regulations relating to those who steal pets, for instance, and sell them to these laboratories or others.

Mr. POAGE. No. This bill does not attempt to go into the question of enforcing State laws against stealing. It simply goes into the question of transporting in interstate commerce. This

bill does not attempt to usurp the local jurisdiction. I am one of those who do not believe, first of all, that this Congress has any such power.

Mr. CRAMER. I understand it does not—and it should not—deal with problems not involving interstate commerce but Congress has the power to act if the animal is shipped in interstate commerce.

Mr. POAGE. That is right.

Mr. CRAMER. So does not this bill deal with the subject so long as the animal stolen is shipped in interstate commerce?

Mr. POAGE. It does not attempt to deal with the question of stealing per se.

Mr. CRAMER. I understand that, but if the animal is stolen, the person stealing it sells the animal in interstate Commerce it could come under the definition of a dealer.

Mr. POAGE. That is right.

Mr. CRAMER. And not under the exclusion contained at the bottom of page 4 and at the top of page 5, on the basis that a thief does not raise animals on the premises and therefore, a thief is a "dealer" and subject to the bill. Is that correct?

Mr. POAGE. He certainly could come under the term of a dealer and would come under the term of a dealer.

Mr. CRAMER. That is precisely the reason why I asked the question. I think the gentleman in his first answer showed the necessity of clarifying the record to the effect that if you have a person who steals animals he is covered by the bill—and I am sure the gentleman recalls the Life magazine article which highlighted this problem and resulted in thousands of letters being received by Members of Congress—this is unquestionably a serious problem. I want to make sure that as to those animals which are shipped in interstate commerce, that this bill will do something about the thief that sells them.

Mr. POAGE. This bill would then take away from that operator his license as a dealer.

Mr. CRAMER. If the gentlewoman will yield further, this is someone who never had a license and never claimed to be a dealer but he steals animals from time to time and sells them across State lines to these laboratories. As I read the bill, it is my understanding that that petnaper would come within the definition of "dealer," because he does not come under the exception in that he does not raise "dogs or cats on his own premises." Is that not correct?

Mrs. MAY. Where is he going to sell them?

Mr. CRAMER. To a research laboratory.

Mrs. MAY. Then the research laboratory or facility loses its license.

Mr. CRAMER. I understand that, but I want to get the guy who is doing the petnaping. Now do we get him?

Mrs. MAY. As the chairman explained, here we are trying to dry up the dog and cat black market. As the gentleman from Texas explained, we are trying to wipe out the market for illegally obtained animals from dealers.

Mr. CRAMER. If the gentlewoman will yield further, the point I am making is it appears to me—and I want to

make the record clear—that this bill would cover such a petnaper in that he would be a dealer under the definition in section 6 on page 4 in that he does sell animals and is not exempted by the 25 percent suggested as a substantial portion of income because he cannot meet the second criteria for exemption, namely as someone who is "breeding or raising dogs or cats on his own premises." Therefore a petnaper would come under the prohibition of this. If he would not, I think we should devise a way of bringing him under the prohibitions.

Mr. POAGE. He would come under the prohibition of the act. The penalty would be first suspension of his license. You suggested he would have no license. If he has none and sells in interstate commerce without a license, then he is subject to the penalties prescribed on page 8, section 14, which would be \$500 a day.

Mr. CRAMER. Precisely. May I ask one more question if the gentlewoman would yield further? Assuming that is the case—and I trust it is and hope it is—I am friendly to the bill and I hope it is the case—that the Secretary under the provisions of section 12 relating to where a cease and desist order has occurred has entered into it, but this is a case where obviously no cease and desist order is involved. This is a dealer who operates without a license.

He is subject to a penalty of \$500 for each offense and can be charged with operating without a valid license, is that correct?

Mr. POAGE. That is correct.

Mr. CRAMER. How does this come to the due process clause of the Constitution? What right does this bill provide, when one is charged, for relief, either by an administrative or a judicial body, in conformity with the due process of law?

Mr. Chairman, I want to make this a good bill. But if we are going to fine someone, he has a right to be adjudged guilty or innocent.

Wherein does the proposed legislation provide for that machinery?

Mr. POAGE. This bill does not provide for a criminal prosecution. This is a civil action. This penalty is a civil penalty. One does not plead guilty or innocent in a civil lawsuit. But the effect of taking the man's money is just as persuasive toward inducing him to stop operating in this fashion.

Mr. CRAMER. All right, what happens when the Secretary of the Department of Agriculture sends a letter to this unlicensed dealer and says, "You are fined \$1,000; you are in violation of this act" and the man says, "You try to collect it"?

Mr. POAGE. Unfortunately, the Secretary has no right to send any order or collect anything. The Secretary can only cancel or suspend his license.

Mr. CRAMER. That is exactly what I am talking about.

Mr. POAGE. When a man operates without a license or operates when his license has been suspended or canceled, then the district attorney can file suit to recover a civil penalty against him of \$500 per day. However, that is not a

criminal prosecution. You do not have to go before a grand jury in order to do it. You do not have to get a conviction in order to do it. You simply come in and file suit. He has the same right to defend himself that any other defendant would have in the civil courts.

Mr. CRAMER. As I understand it, then, he would be subject to the civil penalty under section 15?

Mr. POAGE. That is correct.

Mr. CRAMER. In a Federal court; is that correct?

Mr. POAGE. It is section 14, I believe; is it not?

Mrs. MAY. Section 15.

Mr. CRAMER. Section 14 deals with someone who is licensed. This is someone who is not licensed.

He would come under section 15, if he is engaged, is engaging, or is about to engage in any act or practice constituting a violation of any provision of this act, including petnapping, would he not?

Mr. POAGE. That section simply sets out your procedure as to how one goes about collecting this. It tells one how the action may be brought. It may be brought in the district where the defendant is found or is an inhabitant or transacts business or in the district where the act or the practice in question occurred or is about to occur, and process in such cases may be served in any district where the defendant may be found.

It simply gives one an opportunity to get the defendant into court.

Mr. CRAMER. I hope this record clarifies that this bill covers petnapers who ship in interstate commerce and with a civil penalty for enforcement and I thank the gentlewoman from Washington [Mrs. May].

Mr. Chairman, I just want to make sure that the record is clear on this point, that this bill does provide the machinery for bringing a civil action in Federal Court against someone who is "a dealer," and the "dealer" definition would include someone who steals animals and ships them in interstate commerce, and they have been brought in for civil penalty. Is that a correct statement?

Mr. POAGE. The gentleman is correct.

Mrs. MAY. Mr. Chairman, I would like to refer, in closing this colloquy, to the wording of the report as to the legislative intent, that this section is very carefully spelled out concerning the definition of dealers and what kind of civil action may be brought under section 15.

Mr. Chairman, as a member of the Livestock and Feed Grains Subcommittee which originally considered some 45 bills on this subject, I was pleased to join with the distinguished subcommittee chairman, the gentleman from Texas [Mr. POAGE], in cosponsoring legislation to put an end to this vicious practice of pet stealing.

That is the purpose of the bill before us today. I think you will all agree that a pet stealer is an unspeakable criminal who not only steals cats and dogs and then sells them for profit to medical centers, but our subcommittee has certainly had ample evidence of the deplorable

treatment cats and dogs have been made to suffer after they have been stolen.

It is a vicious racket, Mr. Chairman. I certainly agree with an editorial comment contained in the printed subcommittee hearings in which it is stated:

My heart belongs in part to all fellow members of the animal kingdom, whether they walk on two legs or four. When a monster steals a child, or when he steals a dog or cat, he steals a part of my family. He is without honor, without any moral fiber. He is worse than the money thief.

The foregoing, Mr. Chairman, I realize is an emotional statement, certainly—because this is an emotional issue since no one who possesses an ounce of decency condones dog or cat stealing for any purpose.

Our committee, I feel, was completely receptive to trying to find the best and the most workable solution to this problem. I must admit it was very difficult to recommend to the House a carefully considered bill free from overburdening emotion. We realize, Mr. Chairman, that our responsibility is to legislate realistically, and I believe the Livestock and Feed Grains Subcommittee, and indeed the entire House Committee on Agriculture, is deserving of a vote of confidence for the realistic solution to the problem that is presented to us today.

I honestly believe that the bill before us today, H.R. 13881, is an effective bill. I honestly believe it will stop the stealing and inhumane treatment of dogs and cats without unnecessarily interfering with the research which is so necessary and which is of such benefit to mankind.

This bill will do the job.

Under its terms, as they have been explained by the author—the original author of the bill—the Secretary of Agriculture will regulate the transportation, sale, and handling of dogs and cats intended to be used in research or experimentation. The dealers and research facilities will be required to keep records of sale and purchase, which the Secretary of Agriculture could inspect. Failure to comply with humane standards after opportunity for a hearing could result in the cancellation of the license of the dealer.

Now there were a number of proposals in the original bill that my distinguished colleague and I originally introduced. But after—literally months of discussion and hearings—we found out that there were several areas that we had to decide against for numerous reasons.

I know there has been a lot of discussion about trying to set and enforce standards for the housing and care of animals within the research facility. The Department of Health, Education, and Welfare is much more heavily involved in the support of research and teaching where dogs and cats are employed than is Agriculture. Any measure going beyond the operations of dealers, we feel, should be administered through HEW. We know there are other bills to cover this subject.

The details of a proposal which would set up stringent standards for handling of animals in laboratories, and provide for their enforcement, have really not yet

been considered extensively by any committee. We decided it would certainly be unwise if the Congress were to pass legislation without having given full and complete consideration to the effects—and they could be very deleterious effects, which might follow from the enactment of any unwise provisions.

As I have stated, this type of legislation with which we are currently dealing is extremely complicated. In the hearings that our committee held, it became evident that provisions which at first glance appeared to be proper and reasonable, actually needed extensive revision. Originally, our bill did carry that is the bill that the gentleman from Texas [Mr. POAGE], and I sponsored, did carry the words "and other animals."

It eventually was dropped from the bill by majority vote of the members of the committee because the theft of such other vertebrates had not been reported, and the evidence shows that our major laboratory-animal-breeders of rats, mice, and hamsters, and so forth already have decent facilities in this area.

In other words, most of the committee felt that Congress required much more evidence of improper handling before it could accept such a provision "for other animals."

In addition, I think we should point out that the cost of inspection and a licensing system to cover more than 250 species of vertebrates, including not only dogs and cats, but fish, frogs, turtles, snakes, birds, and so forth, would be pretty monstrous. The cost of this has not even yet been estimated by the Department of Agriculture. Thousands of persons collect small numbers of each of these other species.

The increased difficulty of operation would seriously interfere with scientific work, and since there is no substantial evidence yet of need, such a provision therefore was not included, or was dropped from the original bill.

Mr. Chairman, may I reemphasize that I do feel that this is a practical bill, an effective bill, and a worthy bill. It should stop the theft of pets for research purposes, require humane treatment by handlers of dogs and cats legally acquired for research, and yet it is not intended to interfere with scientific research.

In short, once enacted, this legislation will terminate a great part of the needless suffering of dogs and cats and the anguish of their owners.

Mr. GROSS. Mr. Chairman, will the gentlewoman yield?

Mrs. MAY. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. I would like to have the attention of the gentleman from Texas [Mr. POAGE]. A few moments ago the gentleman from Texas said that I had said that perhaps we were spending too much under this bill. I made no such statement, because I do not know whether too much is being spent or too little, and I do not believe the committee knows. My point was that unless controls are established, there can be a bureaucratic buildup under this bill. I do not believe that salaries ought to be

fixed for justices of the peace on a basis of the number of cases they handle or convictions they obtain. I do not think the pay of a policeman ought to be predicated upon the number of summonses he issues or does not issue.

My whole point was that I hope the committee will give careful scrutiny to what transpires with respect to fixing the fees based upon the administrative costs. I have no way of knowing whether the estimated cost for administration is too much or too little. I only wanted to correct the record to that extent.

Mr. POAGE. I am sorry if the gentleman thought I said that he said it will cost too much. I had intended to say that the gentleman expressed concern about the amount of the cost. I am sure the gentleman is concerned, as I am, about that.

Mr. GROSS. That is correct.

Mr. POAGE. I am sure the committee will observe that point, and if we find that the fees are exorbitant and we are getting too much money, we will certainly cut them down.

Mr. GROSS. I thank the gentleman, and I thank the gentlewoman from Washington for yielding to me.

Mrs. MAY. I understand what the gentleman meant to express on that subject. I think at this point we can merely say that we must give this bill a chance to be tried, and then keep a watch on what its effects are in several areas, as well as its cost. Perhaps then we can suggest further things, because it must come back to Congress through the Appropriations Committee if further funds are to be expended.

Mr. GROSS. I certainly agree with the gentlewoman from Washington.

Mrs. MAY. Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. The time of the gentlewoman from Washington has expired. The Chair recognizes the gentleman from Texas.

Mr. POAGE. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Texas has 11 minutes remaining.

Mr. POAGE. Mr. Chairman, will the gentleman yield some of his time?

Mr. QUIE. Mr. Chairman, I will be glad to yield 5 minutes to the gentleman from Georgia [Mr. O'NEAL].

Mr. O'NEAL of Georgia. Mr. Chairman, I thank my colleagues across the aisle for yielding me this time. I had been promised the time by my chairman, but his time was consumed in answering questions.

Mr. Chairman, in supporting H.R. 13881 to license the transportation, sale and handling of dogs and cats for research purposes, I would like to point out that the Congress is not being asked to preempt the field of dognapping and catnapping.

Surely there are many who would like for us to do so but I am pleased to see our committee avoid taking further steps to violate the principle of States rights.

While the problem is much more severe in some areas than in others, I think each State should retain the right to deal

with its own dog thieves and cat thieves commensurate with the importance it places on its own dogs and cats.

For instance, in my own State of Georgia it is not a crime to steal a cat, and I can only presume that succeeding legislatures have preferred it that way because they passed over an opportunity to correct this situation when they amended the applicable statute as recently as 1964.

Having served as a circuit or district prosecuting attorney—we call them, solicitors general—for over 23 years before being permitted the high privilege of serving in this body, I have more than the average acquaintance with Georgia criminal laws.

In our State no animal is the subject matter of larceny unless specifically made so by statute. This our State legislature has done by fixing the punishment at not less than 4 nor more than 20 years in the penitentiary to steal a horse, 4 to 10 to rustle a cow, 2 to 4 to take a hog, a chicken, a turkey, or a pea fowl, 1 to 3 years to dognap a dog, and even 3 to 6 months to steal any oysters—yes, oysters, though this punishment might be relieved by paying a fine between the limits of \$25 and \$100.

Nowhere, however, is it made a crime to steal a cat—no matter what the actual or sentimental value of the blue-ribbon winner might be—unless a very broad or liberal interpretation might be placed some day on code section 26-2612 which reads as follows:

All other domestic animals which are fit for food may be subjects of simple larceny.

This crime is designated a misdemeanor.

As I said in the beginning, every State has a different problem. Georgians do not steal many cats. In my 23 years as a prosecuting attorney in six counties, I had to handle only one such complaint, and, Mr. Chairman, I felt it necessary to stop short of proving that a cat is "fit for food."

Mr. QUIE. Mr. Chairman, I yield 10 minutes to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, this year marks the 100th anniversary of the founding of the animal welfare movement in this country. Henry Bergh, diplomat and lawyer, pioneered in securing the first State laws for the prevention of cruelty to animals. It is interesting to note that because children at that time also had no legal protection from mistreatment, he then helped bring about the first child protection laws. In order to do so, he had to shock an apathetic public by bringing into court Mary Ellen, a child who had been cruelly beaten and chained, demanding that she be granted the same protection under law which he had just brought about for animals. Mr. Bergh made his point with the court and the public; child protection laws quickly followed.

In the long years since Henry Bergh brought about the first State laws for the protection of animals, additional State anticruelty laws have been adopted. But few have been enacted on the Federal level. In the year and a half since the

scandalous conditions under which dealers acquire and handle animals for sale to laboratories first came to public attention, through a series of raids and arrests of dealers; the public outcry for remedial action by the Congress has been growing.

We will be responding to that justified outcry and honoring the memory of Henry Bergh, one of the greatest humanitarians in history, when we pass a thoroughly good bill today.

Mr. Chairman, I propose to offer an amendment, somewhat in a substitute form, for the very good bill presented, which will, I believe, provide a few more teeth which are needed to strike down the inhuman practice of dognapping, which has been documented so thoroughly through the national media in recent months. At the same time, it will not restrict or hamper laboratory and research activities.

May I say at this time it has been very, very interesting—and fills all of us with hope—to have had the committee do the job which has been done. They fought, bled, and died on two or three sides of this thing. I commend the committee for its fortitude, for its patience, for its endurance, and for its results. I do not wholly agree with them, as will be seen later.

My proposal spells out the standards to be promulgated by the Secretary of Agriculture, and would require him to take action. The bill does not. It merely authorizes.

We do not—either of us—want to stop or to hamper laboratory research, but we do want a bill which will stop this vicious practice of stealing and mistreating household pets.

The proposal which I shall hope to offer by way of an amendment offers the best hope for effective action. My mail certainly indicates that this is what our people desire.

A groundswell which has come almost as a tidal wave on us here in Congress has very illuminating. When our people know things are wrong they went something done about them.

Mr. QUIE. Mr. Chairman, I yield such time as he may consume to the gentleman from Pennsylvania [Mr. DAGUE].

(Mr. DAGUE asked and was given permission to revise and extend his remarks.)

Mr. DAGUE. Mr. Chairman, I rise in support of H.R. 13881.

Starting last summer and running through this spring, the Committee on Agriculture has been considering and perfecting legislation to provide for the humane treatment of dogs, cats, and other animals and to eliminate a cruel racket in stolen pets, while insuring a continued flow of animals to our various medical centers, hospitals, universities, and other research facilities.

As has been mentioned earlier, the Committee on Agriculture has received over 30,000 letters and cards; heard or received statements from some 150 witnesses; considered 45 bills; and spent a great deal of time in a sincere effort to bring to the House a good bill, an effective bill and yes, a strong bill.

COMMITTEE BILL

What does the committee bill do?

In brief, H.R. 13881 directs the Department of Agriculture to regulate the purchase, sale, transportation, and handling of dogs and cats in commerce.

This regulation would be accomplished by a licensing system under which research facilities, dog and cat dealers, and other persons licensed as dealers would be required to meet standards and procedures established by this act.

Dealers and persons licensed as dealers would be required to treat dogs and cats in a humane manner and to keep adequate records of their traffic in these animals.

Research facilities would be specifically exempted from complying with any standards dealing with the treatment or handling of dogs or cats after these animals arrived at a laboratory or research center.

The program is designed to be self-financing to the maximum extent possible.

The program would be enforced by civil penalties, injunctive action, and suspension or revocation of licenses. Appeal procedures through appropriate U.S. courts of appeal are established by the bill.

In some respects this legislation is quite unusual.

In these days of legislating by executive communication, it is relatively rare to see the Congress initiate and enact a proposal completely on its own without first receiving a Presidential message or an administration bill.

H.R. 13881, however, is such a bill. It shows the concern of an interested public, a responsible press, and an enlightened medical community. It is a bill which reflects the recognition of a problem and effective action by the Congress.

This bill, too, has broad bipartisan support in the committee. The gentleman from Texas [Mr. POAGE] who serves as chairman of the Subcommittee on Livestock and Feed Grains, together with the gentleman from Minnesota [Mr. QUIE], the ranking Republican on the subcommittee, have both worked long and hard to bring forth a good bill. Both these gentlemen should be complimented for their efforts in compromising the many divergent views and in achieving unified support within the full Committee on Agriculture.

When the committee began its consideration of this legislation there were two general sets of divergent views which had to be reconciled. One school of thought held that animal research was, in itself, bad and should be abolished, while dealers who handle these animals be eliminated. At the other side of the street were those who felt that no legislation whatsoever was needed. Somewhere between these views came 45 various bills, most of which differed in detail and direction.

Out of these many bills the subcommittee developed a bill which was further modified by the full committee. There was give and take on both sides of the aisle and from various points of view, but throughout the entire consideration of this legislation there was a genuine and

sincere effort to meet the common objectives.

Is this a weak bill?

Today as we consider this bill, there will be those who contend that the committee bill is weak. As debate continues today, I am confident that the merits of the various alternatives will be thoroughly discussed, so I would like to concentrate on just three questions about the committee bill in an effort to convince this body that our bill is a strong, effective piece of legislation.

Does the bill offer protection to dog and cat owners?

The answer is "Yes." The licensing system, the recordkeeping requirements, the identification of dogs and cats, the requirement for dealers to hold these animals prior to disposition, and the penalty provisions all insure that a significant advance will be taken against the organized theft of dogs and cats.

Will dogs and cats be treated humanely?

The answer again is "Yes." The Secretary of Agriculture would be empowered to establish and enforce humane standards for dealers, regulate auction markets, and take every appropriate step to see that dogs and cats destined for laboratory use are treated compassionately and humanely.

Will medical research be impaired?

The final answer is "No." Safeguards built into this bill insure that our great medical research complex will not be impeded or restricted in its never-ending search for the secrets of science that will benefit each and every one of us.

In summary, Mr. Chairman, the committee bill is a good bill, an original bill, a strong bill, an effective bill. It has been carefully considered and thoroughly debated within the committee. It comes to the House with strong bipartisan support from the committee and deserves the support of this body.

Mr. POAGE. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. RESNICK].

Mr. RESNICK. Mr. Chairman, first I wish to commend the members of the Subcommittee on Livestock and Feed-grains of the Committee on Agriculture, who have reported a very fine bill.

As many as my colleagues will remember, I introduced the first bill in this area, H.R. 9743. I am very happy that most of the provisions of that bill have been incorporated in the committee bill.

For the record, I should like to make very clear what I had in mind when I introduced the proposed legislation, and what most of the letters I received were about. Very simply, it was to prevent the theft of our cats and of our dogs and other household pets, and prevent their winding up in medical research laboratories.

We know the problems which are involved in humane treatment of animals in laboratories.

That is the subject of another bill. That bill did not even come before our committee. This bill, the Poage bill, very simply is designed to see that there will be no more profit for anyone in stealing our pets. As pointed out—and the testimony is full of it—there is very

little reason for anybody to steal our family pets except for medical research purposes. I understand that there are going to be a number of substitute amendments. I would like to say that I am 100 percent behind the Poage bill as it is written. I think it covers the original intent of this legislation. I think it should be pointed out to one and all that this bill will in no way make it more difficult for our medical research facilities to operate. On the other hand, I agree that it will raise the cost of animals to our medical researchers.

They have stated this many times, but it is always cheaper to steal something than it is to buy something. But that is no excuse to encourage stealing. It is my hope that the passage of the Poage bill will see the introduction of commercial dog and cat raising for laboratory purposes. I think the medical profession will benefit by it and I think medical research will benefit by it. I know all of us who have dogs and cats that we love as part of our family will be very happy.

Mr. Chairman, I now yield to the gentleman from Ohio [Mr. SWEENEY].

Mr. SWEENEY. Mr. Chairman, I should like at this time to compliment the gentleman from New York for his interest in this field. At the time of the gentleman's introduction of his bill on this particular issue I was very interested to review the comment that the gentleman made with regard to the primary purpose of this legislation, namely, to protect dogs and cats from thievery, as has been described in the committee hearings and the comments here today. My question to the gentleman is simply this: If there is a growing national problem that we have a black market developing in stolen animals, particularly dogs and cats, why not incorporate in the legislation itself a criminal provision, as was originally suggested at the time other legislation such as the Helstoski bill provided for? Why not provide for a criminal remedy? Why in the Poage bill and in the gentleman's bill was the criminal provision dropped? I would like to have some comments on that.

Mr. RESNICK. In my bill, H.R. 9743, the criminal penalty was not dropped. However, in discussing it with the committee and in hearing everybody's views on it, I came to agree with our distinguished chairman that merely by lifting the dealer's license we would probably get more compliance than by these harsh criminal penalties which I originally inserted in my bill.

Mr. SWEENEY. I might say it would certainly be well documented, I believe in every office on the Hill, that there is a growing demand in America for enforcement to eliminate situations such as were described as existing in Maryland and in other areas where they are obviously inflicting indescribable cruelty upon animals. There is a demand growing that this be effectively dealt with in this legislation.

Mr. RESNICK. I would say to my distinguished friend from Ohio that I think these licenses will be of great value to dealers. I do not believe anyone is going to get this license if he is not a reputable

person. Further, I think once this license is acquired I very much doubt that any owner of the license is going to jeopardize that license by handling stolen animals.

Mr. SWEENEY. Might I develop this part of the RECORD here with the gentleman further? I would be interested in finding out and ascertaining whether the gentleman would consider just the revocation of the license sufficient, if there is developing in this country this great traffic in stolen animals and pets? Would he consider just the revocation of a license, in his judgment, as sufficient to curtail this type of traffic?

Mr. RESNICK. Well, I would like to say to the gentleman from Ohio that, again, we must realize the revocation of this license will put the man out of business because laboratories will not be permitted to buy from him. It will stop his livelihood and, certainly, the revocation of the research facilities' licenses would hamper their work tremendously.

I doubt if the research facility would jeopardize losing its license.

Mr. SWEENEY. Mr. Chairman, if the gentleman will yield further, finally, it would seem to my mind that the record in committee and here today is pretty certain that what we are really turning the focus upon here today is not the legitimate dealers but, rather, those who

operate in the gray areas, and those who have a record of certainly violating any humane standards, and everything else.

However, in the absence of a criminal provision how would we get those who do not operate beyond that area?

Mr. RESNICK. I would like to say to the gentleman from Ohio that a part of the provisions contained in this bill provide that certain standards be set up to which the dealer must adhere. If these standards are not met, dealers are not given the business in the first place. If, after operating for a while, they fall below the standard, they might be put out of business, ipso facto, like the shocking case in Baltimore.

Certainly the Secretary would never license an operator like that.

Mr. Chairman, it is my belief that these licenses will become a thing of value, and no one will jeopardize losing this license—his very livelihood—by violating the law, and through the handling of stolen animals.

Mr. QUIE. Mr. Chairman, I yield myself such time as I may consume.

(Mr. QUIE asked and was given permission to revise and extend his remarks.)

Mr. QUIE. Mr. Chairman, I rise in support of the Poage bill, H.R. 13881.

Mr. Chairman, in my opinion this legislation, if enacted, would accomplish

two things effectively. First, it will stop the stealing of dogs for research purposes. Second, it will provide for humane standards for the handling and transportation of dogs when they move from the original owner to the research facility in the hands of dealers.

Mr. Chairman, this legislation does not provide for any regulation of research facilities and their handling of dogs.

Mr. Chairman, there was not sufficient testimony presented to the subcommittee or to the full committee proving that control of research facilities is necessary at this time.

The real problem with which we are confronted is the stealing of dogs and cats and the treatment thereof as was shown in such cases as the one in Maryland, where the cruel treatment was so severe that State action was taken against the parties involved.

Mr. Chairman, the comparisons between the Poage bill, H.R. 13881, and the bill which is spoken about most now in the telegrams which we have received, the Helstoski bill, H.R. 10743, have been prepared. In order that the RECORD might show this comparison, when we go back into the House again, I shall ask for permission to make this comparison a part of the RECORD at this point:

| COMPARISON BETWEEN H.R. 13881 AS REPORTED BY THE COMMITTEE ON AGRICULTURE AND H.R. 10743, H.R. 13346 AND SIMILAR BILLS | | |
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| Item | H.R. 13881 (committee bill) | H.R. 10743, H.R. 13346 (and companion bills) |
| Animals covered by bill. | Dogs and cats only (secs. 2(d) and 2(e).) | All vertebrates (sec. 2(f)). |
| Licensing of research facilities. | Requires research facilities to be licensed, but expressly prohibits establishment of humane standards for handling of animals subsequent to their arrival at a research facility (sec. 6). | Does not require research facilities to be licensed; does not establish humane standards for handling of animals at research facilities. |
| Records of research facilities. | Requires records to be kept of purchase, sale, and transportation of dogs and cats; records available for inspection by Secretary or his authorized agent (sec. 8). | Requires records to be kept for 2 years and a bill of sale for each animal; records available for inspection by Secretary or any police officer or agent of any law enforcement agency (sec. 7). |
| Acquisition of animals by research facility. | Prohibited from anyone except "person" holding valid license as a "dealer" (sec. 3). (See committee rept., p. 7, on acquisition of dogs or cats from dog pounds or animal shelters.) | Prohibited from anyone except a "dealer" (sec. 3). |
| Licensing of dealers. | Required for dealers and permitted for persons who voluntarily wish to be licensed as dealers. Persons with less than "substantial portion of income" from breeding and raising dogs and cats would be exempt from license requirements (sec. 2(h) and sec. 6). | Required for dealers. No comparable provision for voluntary licensing or exemption for persons selling small numbers of animals (sec. 2(h)). |
| Licensing of common carriers. | Exempted from licensing requirements. (NOTE.—Common carriers except trucks are covered by the 28-hour law). | Common carriers required obtain a license. |
| Humane standards. | To be determined, promulgated, and enforced by Secretary by regulations (sec. 5 and sec. 11). | Set forth in bill. Transactions involving sick, injured, unweaned, or pregnant animals prohibited (sec. 5). |
| Auction markets. | Contemplates regulations of and establishment of humane standards at auction markets (sec. 11 and committee rept., p. 8). | Prohibits auction sales of animals used for research (sec. 10). |
| Identification. | Requires dogs and cats to be marked in humane manner determined by Secretary (sec. 7). | Requires dogs and cats to be identified by photograph or other humane and painless manner determined by Secretary (sec. 6). |
| Coordination with State and local agencies. | Authorizes Secretary to cooperate with State and local agencies to effectuate the purposes of the bill and similar State and local laws (sec. 9). | Directs Secretary to take appropriate action to encourage States to adopt new laws to effectuate the purposes of the bill and authorizes the Secretary to cooperate with State agencies (sec. 8). |
| Time of disposal of animals. | Prohibits dealers from selling or disposing of any dog or cat within 5 business days or other period of time specified by the Secretary (sec. 10). | Prohibits dealers from selling or disposing of any animal within 5 business days. Requires Secretary and State and local law enforcement officers to assist owners of animals to search premises of dealers after obtaining search warrant (sec. 9). |
| Inspection of premises. | Contemplated in Secretary's regulations (sec. 11 and committee rept., p. 8). | Requires inspection of dealers at least six times a year; requires regular inspection of transportation of animals. Permits delegation of inspection authority to State and local agencies (sec. 11(a)). |

COMPARISON BETWEEN H.R. 13881 AS REPORTED BY THE COMMITTEE ON AGRICULTURE AND H.R. 10743, H.R. 13346 AND SIMILAR BILLS—Continued

| Item | H.R. 13881 (committee bill) | H.R. 10743, H.R. 13346 (and companion bills) |
|--|---|--|
| Penalties and sanctions. | Provides civil penalty of \$500 per day for each offense to be collected by Attorney General. Authorizes injunctive action through Attorney General (sec. 14). Authorizes suspension or revocation of licenses of dealers after hearings and denial of Federal research funds to research facilities unless another Federal agency finds such action not to be in the public interest (sec. 12(a)). | Provides for imprisonment for not more than 1 year and \$10,000 fine for violations. Authorizes Attorney General to prosecute violation reported by the Secretary or by other persons (sec. 12). Authorizes suspension or revocation of dealer's license after hearings. Requires Secretary to suspend license of dealer being prosecuted for cruelty to animals under State law and to revoke such dealer's license in the event of a conviction (sec. 14). |
| Principal-agent relationship. | Provides that the act, omission, or failure of an agent or research facility or dealer or person licensed as a dealer acting within scope of his employment will be deemed the act of his principal (sec. 13). | Contains a similar, though not identical provision (sec. 13). |
| Financing provision. | Establishes a system of graduated license fees designed to cover, insofar as practicable, the cost of administering the program. License fee collections would be deposited in a special fund which would remain available without regard to fiscal year limitations. Also authorizes such appropriations by Congress as may be necessary from time to time (sec. 17). | Requires dealers to pay in license fees an amount sufficient to finance the administration of the program. License fee collection would be deposited as treasury miscellaneous receipts. No authority for appropriations (sec. 16). |
| Appeals from Secretary's final order. | Provides for appeals by research facilities, dealers, and other aggrieved persons to U.S. circuit courts of appeal (sec. 12(c)). | No provision included in bill for appeals. |
| Definitions of "person," "Secretary," "commerce," "dog," "cat," "research facility." | Substantially the same, though not identical, in both bills. (Sec. 2(a) through 2(f).) Identical in both bills. (Sec. 16.) | Substantially the same, though not identical, in both bills. (Sec. 2(a) through 2(g).) Identical in both bills. (Sec. 15.) |
| Constitutional invalidity clause. | Identical in both bills (120 days after enactment). (Sec. 18.) | Identical in both bills (120 days after enactment). (Sec. 17.) |
| Date effective. | | |

Mr. Chairman, I believe that the previous speakers have quite well pointed out the emphasis and impact of this legislation, as well as the necessity for it. Rather than take any greater length of time, I shall just let the record stand, based upon what the other speakers have said.

Mr. Chairman, I might say that my own attitude on this legislation is that at first I felt we should have limited it only to the dealers, and in so no way mentioned the research facilities. However, based upon the committee information I changed my mind. They found it necessary to license research facilities in order that the records may be compared and a determination made if any unlicensed dealers are providing dogs and cats for the research facilities this provides a means for the regulation of dealers that we could not otherwise have had.

Mr. DOLE. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Kansas.

Mr. DOLE. Mr. Chairman, I take this time to rise in support of H.R. 13881.

Mr. Chairman, I rise in support of H.R. 13881, which would authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research and experimentation, and certain other purposes.

The purposes of this bill have been amply discussed, and essentially they are threefold: First, enactment of this bill would provide protection to the owners of dogs and cats from the theft of such pets; second, to prevent the use or sale of stolen animals for purposes of research or experimentation; and third, to establish humane standards for the treat-

ment of these animals while they are on the way to medical research facilities.

Under the bill, the Secretary of Agriculture would issue licenses to both dealers and research facilities. The dealers would be required to keep records of their handling, transportation, purchase, and sale of dogs and cats. The research facilities would keep records of their purchase, sale, and transportation of dogs and cats acquired by them.

A significant feature of the bill would make it unlawful for a dealer or research facility to operate without a license, and a research facility could purchase dogs and cats only from a licensed dealer. Reasonable penalty provisions are included in the bill, and violations of this act or any regulation, after confirmed by a hearing, could result in a \$500 per day penalty, suspension or revocation of a dealer's license, the issuance of a cease-and-desist order, or possible withdrawal of Federal aid to a research facility if the withdrawal would not be contrary to the public interest.

I am a member of the Subcommittee on Livestock and Feed Grains, and, frankly, I was shocked at some of the testimony presented by many of the very fine witnesses who appeared. It is difficult to believe that anyone would subject dumb animals to such cruel and unusual treatment as was evidenced by photographs made available to our committee. In my opinion, this is a reasonable proposal and one that should have the support of every Member of this body. There are certain amendments and exceptions, one of which will permit farmers or other owners of relatively small numbers of dogs and cats to sell these animals to dealers without obtaining a license. In addition, section V of the bill completely excludes the research facility

from having to meet humane standards set by the Secretary of Agriculture for the handling, transportation and sale of dogs and cats.

As in many cases, some people view this measure as being too weak, while others indicate it is too strong; but, in my opinion, it is reasonable and just and deserves your support.

(Mr. DOLE asked and was given permission to revise and extend his remarks.)

Mr. GOODELL. Want a 57-percent raise? Join the staff of the Job Corps. The 208 staff personnel at Camp Gary, San Marcos, Tex., drawing salaries over \$9,000 got an average increase of 57 percent above their previous salary; 22 of them got more than double their previous salary. Here are some examples of past and present salaries of Camp Gary personnel:

The manager of personnel from a previous salary of \$5,000 to \$10,000.

The math chairman from \$4,730 to \$10,080.

The citizenship teacher from \$4,800 to \$10,080.

The chairman of commercial skills from \$4,650 to \$10,080.

The welding instructor from \$3,200 to \$9,780.

The teacher of commercial skills from \$4,500 to \$9,780.

Another teacher of commercial skills from \$4,300 to \$9,780.

The auto mechanic instructor from \$3,800 to \$9,780.

The drafting instructor from \$4,764 to \$9,780.

The science teacher from \$4,700 to \$9,780.

The duty officer from \$4,500 to \$9,493.

The physical education instructor from \$4,600 to \$9,480.

The automatic, facile explanation always given by poverty officials for high salaries is, "We need the best people." Is it really necessary, however, to go this far? Aside from the leakage of poverty funds for extravagant salaries, there is a distressing impact on school systems. What school board can compete with their rich Uncle Sam who apparently has money to burn?

One hundred and fifty-four of the two hundred and eight at Camp Gary who make over \$9,000 came directly to Gary from school jobs. Is it necessary to offer \$9,780 to a math instructor making \$4,887 or to a music teacher making \$4,200 in order to attract them to come to business?

These are the kind of facts that should have been brought out in congressional hearings and which were not brought out. In spite of our efforts, and those of Congresswoman GREEN, the reason for extravagant costs of Job Corps camps remained a mystery in the hearings. Camp Gary does not stand alone; on the contrary, it appears to be a typical outgrowth of inept administration of the Job Corps.

I have today telegraphed seven other urban Job Corps centers for full data on their staff salaries. In the meanwhile, my colleagues and the press, you are welcome to examine the complete salary records of Camp Gary in my office.

I think we might change the name of this operation to the "Silver Salaried Job Corps"—or the "Story of Rags to Riches."

Mr. CALLAWAY. Mr. Chairman, I want to offer my wholehearted support for H.R. 13881. It is time that we put an end to the suffering which millions of animals in America have undergone for the benefit of research. It is time that we set up regulations by which all persons dealing with these animals must abide, and for which punishment is issued in the event of violation. Over the months, I have had many letters from disheartened constituents in which they express their concern, dismay, and horror over the treatment and handling of experimental animals. On behalf of my constituents in their compassion for animals that will be involved in future research, let me again offer affirmative support for this legislation.

Mr. SICKLES. Mr. Chairman, I am most happy to support H.R. 13881 as reported from the Agriculture Committee.

The reported bill eliminates regulation of "other animals" as provided for in the bills that I and several other Members introduced, and provides for protection of dogs and cats only. In view of the uncertainties raised with respect to the problems involved in the protection of "other animals," it is not unreasonable to restrict protection to dogs and cats only at the present time. Certainly it is the inhumane abuse of dogs and cats that is the overwhelming concern to millions of our citizens.

The reported bill also eliminates some references to "research facilities" in order to make it even more certain that bona fide research endeavors are not subject to outside interference. These technical changes merely confirm what

I believe to be the intent of the Members of the House.

In short, the objective of the bill is to provide protection against the repulsive and widely reported abuses of dogs and cats, but at the same time to protect the legitimate and necessary functions of research institutions. I urge the House to act favorably on this important legislation.

Mr. VIVIAN. Mr. Chairman, I support H.R. 13881. This bill, if enacted, should bring to a halt the growing, organized, multi-million-dollar traffic in stolen dogs and cats.

The bill before us today should effectively stop this stealing of pets, for it closes off the market for any animals whose history of ownership is not verifiable. The bill will not, however, inhibit or restrict essential and responsible medical research; for, while each medical research laboratory will be obligated to obtain animals only from licensed dealers and to maintain records of all purchases, no laboratory will be subject to penalties unless it willfully and persistently evades these simple steps.

The family cat or dog occupies a warm place in the hearts of its young owners—and their parents. Be it fancy feline with pedigree, or plain pooch with mixed-up bloodline, each pet becomes a valued member of the family. It is a sad evening indeed when a family calls in vain for the cat or dog which does not return at its habitual hour. I hope we succeed in stopping these miserable men who have succeeded in making their living by stealing and selling pets.

Mr. STRATTON. Mr. Chairman, I rise in support of this legislation providing for the humane treatment of dogs and cats in connection with research purposes. It has been clear for some time that some kind of legislation has been very much needed to prevent the inhumane and sickening conditions that have recently come to light with regard to the activities of unscrupulous dealers in household pets. I feel sure that this bill will put an effective end to these deplorable practices and will do so without interfering with the proper activities of legitimate research organizations in the drug and medical fields.

Actually I had hoped that the pending legislation might have been amended to eliminate the requirement that research facilities themselves be licensed in handling of dogs and cats obtained from dealers in pets. It had seemed to me that by licensing and regulating the dealers in dogs and cats we were giving the Government the power to wipe out the deplorable and inhumane conditions that have recently come to light. By extending the requirement for Federal licensing into the research facilities themselves I was fearful, frankly, that we might be running the risk of putting too much Federal control in the field of private medicine where it properly should have no place.

However, I am pleased to learn that the bill before us has now received the support of the research people, who feel that the requirements imposed by the bill will not interfere with proper and legitimate medical research, and will

make it possible for us to deal even more effectively with those who would act in improper and inhumane ways in acquiring dogs and cats for research purposes.

Therefore I am pleased to support this legislation, and believe that we are taking an important forward step that is in line with the wishes and desires of an overwhelming majority of the American people and is clearly in line with the public interest.

Mr. SCHWEIKER. Mr. Chairman, H.R. 13881, the Poage bill which this House is today being asked to consider is a woefully inadequate attempt to regulate the transportation, sale, and handling of animals intended to be used for research and experimentation. There is a crying need for prompt passage of meaningful animal protection legislation but H.R. 13881 falls far short of meeting that need.

This bill is inadequate because, first, it would permit the continued sale of animals at auction and by weight, a method of sale in which the greatest number of stolen animals change hands and cruelty is routine; second, it fails to give the legislative intent of the humane standards which the Secretary of Agriculture would promulgate for the handling and transportation of animals; third, it fails to prohibit the sale and transport of sick, injured, unweaned, or pregnant animals; fourth, it fails to require dealers to have bills of sale as proof of legal acquisition of animals; fifth, it fails to require inspection of dealers' facilities and transportation; and sixth, it calls for an inadequate fine.

Mr. Chairman, a bill which I have introduced, H.R. 13720, would remedy these glaring weaknesses which are in the bill before us today. A number of other bills have also been introduced, such as H.R. 10743 by the gentleman from New Jersey [Mr. HELSTOSKI], which would provide a good answer to this tragic problem.

I urge my colleagues to support amendments and to support a motion to recommit with instructions to strengthen this proposed legislation and make it meaningful. I intend to do so.

It has been suggested that those of us who believe that H.R. 13881 is inadequate should vote against its final passage unless our efforts to amend it or to recommit it with instructions to improve it are successful. However, I do not believe this would be the proper course to follow.

If our efforts to improve the Poage bill fail, I shall reluctantly support its passage in the great hope that the other body will pass a better piece of legislation and that the conferees of both bodies, in their wisdom, will agree to a worthwhile bill. I shall do this because I truly fear that if the House does not pass an animal bill today, then we will not be given an opportunity to pass any legislation in this field at all this year. It would be better, therefore, to pass an inadequate bill which could be improved in the other body, than to pass no bill at all.

Mr. CORBETT. Mr. Chairman, as a longtime advocate of legislation to outlaw some of the vicious cruelties inflicted

on research animals, I urge passage of H.R. 13881.

The bill admittedly does not go as far as many of us would have liked, but it is a good first step in banning a grisly and sordid commercialism that has sprung up in recent years to meet the ever-growing demand for laboratory animals in legitimate medical and biological research. I refer to the bootleg traffic of family pets—the outright theft of dogs and cats and their subsequent mistreatment by so-called wholesalers and dealers of laboratory animals.

I am hopeful that the measure now before the House will eliminate this illicit procurement, which has become a national problem and a national shame. Whether a spillout effect will be to curb the shocking cruelties to animals other than dogs and cats that have been revealed in recent articles by national publications remains to be seen. I am convinced, though, that H.R. 13881 is a desirable reform to current practices in the wholesaling of animals intended for use in research and deserves the support of every Member.

Mr. FINO. Mr. Chairman, I would like to speak in support of H.R. 13881, similar to my bill, H.R. 11002, which would regulate the transportation, sale, and handling of animals intended for research.

The issue has aroused a great deal of controversy. Heavy mail in many congressional offices indicates the intensity of feeling among both proponents and opponents of the legislation we are considering today.

Proponents argue that a high percentage of the dogs and cats used for research purposes in this country are stolen pets and that, this question aside, animals intended for research are cruelly abused in the course of transportation and while in temporary shelter. The number of animals stolen annually for sale to research facilities can be quibbled over, but it is becoming more and more difficult to deny the charges of brutality leveled at many animal dealers. From all parts of the country come newspaper reports of straining, thirsty animals, herded together in filthy facilities, in extreme discomfort—often in pain—from chains so short they cannot lie down and cages so small and crowded they can neither stand nor lie. Many dealers have, in fact, been repeatedly convicted for cruelty to animals; they remain in operation because State penalties are so light.

Opponents argue that the proposed legislation would be difficult to enforce and damaging to much medical and scientific research. While we can readily admit that as with most legislation there may well be difficulties in enforcement, I would like to counter their argument at several other points.

I seriously question whether the legislation proposed would be damaging to research. The bill as amended would simply require research facilities to purchase a license, prohibit research facilities from purchasing animals except from a licensed dealer, and require that they keep records relating to the purchase of animals.

So the only provisions relating to research facilities are that they purchase

only from licensed dealers and that they keep records of their transactions. This last requirement may be somewhat burdensome, but it can scarcely be interpreted as interference with the purposes or methods of research. Purchasing only from licensed dealers need not cut down the number of animals available for research for there are many other legitimate sources—and it is very likely to improve the quality of animals used in research, scarcely an objectionable result.

The main functions of the law would be, therefore, to make it a grave risk for dealers to steal pets for resale to research facilities and to compel them to treat the animals in their possession with a degree of decency.

This seems to me both reasonable and productive—for pet owners and research facilities alike. I advocate your support of H.R. 13881.

Mr. FASCELL. Mr. Chairman, I would like to join my colleagues in supporting the bill, H.R. 13881, to regulate the transportation, sale, and handling of dogs and cats intended for research.

As most of us know from the mail we have received in the last few months, the issue has aroused great interest and controversy. And quite rightly. The conditions in many animal dealers' facilities disclosed recently by the national press are deeply shocking. Hunger, pain, and fear—deliberately inflicted on helpless, homeless animals—can scarcely be tolerated in a nation thinking itself civilized.

In application, however, this becomes a difficult problem. The Agriculture Committee is to be commended for the care it has taken in gathering information, considering widely divergent opinions, and fashioning a workable and effective piece of legislation.

By requiring dealers to purchase licenses, keep records of their handling, transportation, and sale of dogs and cats, and adhere to humane standards of care prescribed by the Secretary of Agriculture, the law would work to insure that these animals are legally obtained and humanely treated. Requiring research facilities to be licensed, to buy dogs and cats only from licensed dealers, and to keep records will reinforce and guarantee dealer compliance with the law. Penalties for violation of the law are stern but reasonable, and procedures for determining violation and penalties are eminently fair.

I am pleased to support this fine bill.

Mr. CARTER. Mr. Chairman, having long realized the great need for legislation to control the theft of pets and their sale for research purposes and to require humane treatment by handlers of dogs and cats legally acquired for such research, I support the bill before the House today, H.R. 13881, and urge its adoption.

During the past 15 months, I have received many letters and petitions, and several delegations have visited my office urging enactment of legislation to eliminate what they described as "pet stealing" and put to an end the "inhumane treatment to which they are subjected during transportation and in confinement."

Since the intent of this legislation is to correct these conditions, I am glad to join proponents of the bill in giving it my support.

Mr. BOLAND. Mr. Chairman, I rise in favor of H.R. 13881, a bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats and other animals intended to be used for purposes of research or experimentation.

The purposes of this bill are to protect the owners of dogs and cats from the theft of such pets, to prevent the use or sale of stolen animals for purposes of research or experimentation, and to establish humane standards for the treatment of these animals while they are on the way to medical research facilities. The bill specifically authorizes the Secretary of Agriculture to regulate the transportation, purchase, sale and handling in commerce of dogs and cats which are destined for use in research or experimentation.

Mr. Chairman, Life magazine on February 4, 1966, printed a lead article illustrating some shocking abuses in the procurement of animals for laboratories that urgently needs to be corrected. The Life article was entitled "Concentration Camps for Dogs—Pets for Sale Cheap—No Questions Asked." Research facilities and laboratories last year used thousands of dogs and cats for which they paid many millions of dollars. This demand has given rise to a large network of dealers who oftentimes secure dogs and cats by simply combining the streets and picking up any animal they can catch, as was vividly portrayed in the Life magazine pictures. These dogs and cats are usually stripped of all identification and often moved across State lines to escape the jurisdiction of local and state law.

Under this legislation the Secretary of Agriculture would issue licenses to both dealers and research facilities. The dealers would be required to keep records of their handling, transportation, purchase, and sale of dogs and cats. The research facilities would keep records of their purchase, sale and transportation of dogs and cats acquired by them. The Secretary would specify humane methods of identification and prescribe humane standards to govern the transportation and handling of dogs and cats by the dealers.

Mr. Chairman, I have been advised by members of the Agriculture Committee that the amendments adopted by the committee reflects the sentiments of many of the humane societies and medical organizations which appeared at the public hearings held by the Subcommittee on Livestock and Feed Grains.

Since the Life magazine article appeared in February, I have received hundreds of letters from my constituents who were horrified by the scandalous revelations on the snatching of pets to be sold by dealers for research purposes. These animals should be purchased from validly licensed dealers, and not stolen from the streets. This would have the effect of improving the quality of animals used for research, making it more likely that they will productively endure

the research procedures to which they will be subjected. And it would make the stealing of pets for sale to research institutions risky and difficult. I hope that the legislation passes overwhelmingly.

Mr. ROGERS of Florida. Mr. Chairman, I rise in support of legislation which will curb the inhumane traffic in laboratory animals which currently exists in this country. The great weight of evidence now confirms that Federal legislation is needed if we are to find an effective solution to this problem. I want to commend Chairman COOLEY, Mr. POAGE, Mr. RESNICK, the original sponsor, and the other members of the Agriculture Committee for time and effort they have put into this legislation. While this is a very emotional issue, the committee has taken the time to write, what is in essence, a very workable solution to the problem.

I have long been interested in the welfare of animals which are used in the great research programs of this Nation. It is my feeling that the Federal Government, as the supporter of over two-thirds of all biomedical research in this country, has an obligation to insure that the animals used in that research are given the best treatment that is possible. This "dealer" bill is one step in the right direction to insure that that goal is reached. It will deal with the serious problem of the transportation, sale, and handling of dogs and cats used in research and experimentation. It is my feeling that the authors of this bill made the correct decision in stopping at the laboratory door, so to speak, and leaving the treatment of the animals in the laboratory as the subject of other legislation. I have introduced legislation on this latter subject, which will not place unnecessary burdens on research, as have many other Members, and we have already had some hearings on these proposals. It is our intention to continue to pursue this matter.

The bill before the House, H.R. 13881, would require that all dealers, in the business of selling cats and dogs to laboratories, obtain a license. It would also require that any laboratories which obtain Federal funds only purchase their animals from licensed dealers. These are indeed constructive steps in the solution of this problem.

Only recently Life magazine did a feature article on the almost unbelievable conditions to which some dealers have been subjecting these animals. The particular dealer lived within 45 minutes of Washington and was a major source of supply. It is my hope and belief that this legislation will go a great way in protecting animals which are used in research. It is my belief that the goals of progress through research, and humane treatment of the animals used in that research, are not incompatible.

Mr. SCHMIDHAUSER. Mr. Chairman, I want to take this opportunity to express my support for the Poage bill upon which we are today acting. I believe our distinguished colleague, Congressman POAGE, and the members of the House Committee on Agriculture have done a fine job in this important area of legislation.

I have long believed some legislation was necessary to help protect our family pets from being subjected to inhumane treatment as a result of the actions of certain unscrupulous individuals who make a profit from the theft of beloved pets. I also believe H.R. 13881 protects the legitimate medical research programs at our great American universities and medical centers by not restricting sound medical practices.

I believe H.R. 13881 ably serves these two important purposes: it will help to protect our family pets and, at the same time, it will not unduly restrict medical research. For these reasons, and because of my deep interest in this area, I support H.R. 13881.

Mr. BROCK. Mr. Chairman, I would like to take this opportunity to congratulate the House Interstate and Foreign Commerce Committee for drafting an excellent measure, H.R. 13881, regarding the transportation, sale and handling of dogs and cats for research purposes.

A great deal of concern has been generated as a result of the tremendous volume of illicit traffic in these animals which are stripped of identification and shipped across State lines for sale to research facilities and laboratories.

I commend the committee for reporting legislation which will effectively prohibit these practices without imposing unnecessary Federal controls and I support it wholeheartedly.

Mr. O'HARA of Illinois. Mr. Chairman, this in my opinion, is a good bill. Certainly it will serve to give a greater measure of protection to the dogs and cats that are bound in affection to family circles and too often are stolen by ruthless and heartless procurers. It is said it will provide protection up to the door of the hospital and to that extent it will serve the humane cause. Whether at a later time there should be legislation that will provide some measure of prudent regulation within the doors of the hospital is not unlikely. I am too much a friend of dogs, and my memories of Tommy, Peerless and Red, the three dogs that contributed so much sweetness to my life at different stages, is so vibrantly fresh that I would not wish any dog to suffer unnecessary pain and definitely would wish none mistreated. Mr. Chairman, I have received several hundred letters on the bill now before us, most from men and women of medicine. None presents the case for research more graphically than this letter from Howard S. Ducoff, 1516 West Charles Street, Champaign, Ill.

DEAR CONGRESSMAN O'HARA: I am greatly disturbed by proposals to add to the Poage bill restrictions on medical research laboratories. Since we lived in your district, from 1950 to 1957, and were ardent and outspoken supporters of yours while surrounded by Vailites, I thought you might be interested in our personal involvement.

Early in 1957, I accepted an offer from the University of Illinois, and we began to prepare for the move to Champaign-Urbana. My wife had a miserable summer, what with moving, pregnancy, and illness. The baby was born here in April 1958, and though she looked lovely, she had a severe heart murmur, and several heart wall and valve defects. In 1961, she underwent open heart surgery at Children's Memorial Hospital; the

operation was almost completely successful, and today she is unrestricted in her activities.

If animal experimentation had been restricted 15 years ago, this particular surgical procedure would have taken at least 5 to 10 years longer to develop—and that would have been too late to save the life of my daughter. I'm sorry to take so much of your time, but I'm sure you'll understand our strong feelings in this matter.

Sincerely yours,

HOWARD S. DUCOFF.

Mr. DONOHUE. Mr. Chairman, it seems convincingly clear, from the authoritative evidence presented here this afternoon in connection with animals required for scientific, and experimental research, there is urgent need of Federal legislation to protect the owners of dogs and other animals against the theft of these pets; to protect the animals themselves from cruel and inhuman treatment by unscrupulous persons while waiting upon delivery to these research facilities and to establish penalties to prevent and discourage the transportation and delivery of stolen household pets and other animals for research purposes.

I, and most every other Member here, have received multitudinous letters from constituents, and from a great many heartbroken children, relating instances of theft of their animal pets and, perhaps, even worse, numerous instances of cruel and torturous treatment of dogs and other animals marked for sale and delivery to experimental research facilities. The documented testimony of this growing and most reprehensible traffic in animals for research purposes demonstrates that the situation borders on being a national disgrace which requires legislative action for prompt correction and future prevention.

Mr. Chairman, our legislative duty and challenge here is to protect the owners of all animals against theft of their pets and to require humane treatment of the animals affected by this situation while, at the same time, we prudently try to insure, for the maintenance of the great basic human betterment progress involved, that the experimental and research facilities are not stifled and frustrated in their legitimate scientific projections.

I think that this should be our objective in our action on this bill before us now and I most earnestly hope and trust that this objective will be completely realized in our further discussion and final adoption of this measure this afternoon.

Mr. CLANCY. Mr. Chairman, I have received numerous letters, as I am sure most of my colleagues have, deploring the inhumane conditions and treatment that so many animals destined for laboratories for research purposes have been subjected to. I know we all want to prevent the needless suffering and abuse of these animals.

The bill approved by the Agriculture Committee and before us today seeks to reduce the theft and abuse of animals by dealers, but I would prefer to see a stronger bill enacted to curb the unspeakably cruel practices engaged in by conscienceless dealers and to stop the traffic in stolen pets.

I have introduced a bill, H.R. 13464, identical to that of the gentlewoman from Ohio [Mrs. BOLTON] and the gentleman from New Jersey [Mr. HELSTOSKI] and several other Members of the House, which would prohibit the sale of animals at auction or by weight. The bill under consideration would not do this. As most of us know, stolen pets change hands very quickly at animal auctions and in the process are usually terribly mistreated. Our bill would license dealers only and require laboratories to purchase animals only from licensed dealers. In many additional ways, because of its clear and mandatory language, it would come closer to insuring an end to the abuse and stealing of animals by certain cruel and unscrupulous dealers.

I intend to support the motion which will be made by the gentlewoman from Ohio [Mrs. BOLTON] to recommit to the Committee on Agriculture the bill it approved with instructions to substitute the more effective provisions of her bill. As I indicated, I have introduced an identical measure.

I also support the change in the language of section 7 of the substitute bill which she has proposed. This would result in elimination of the requirement that research facilities make and keep records for a period of at least 2 years. With this amendment, only dealers would be required to keep such records.

However, if the recommittal motion should fail, I will vote for passage of H.R. 13881, introduced by the gentleman from Texas [Mr. POAGE]. This bill does not go as far as the legislation which I have introduced, but because in all probability we will have no other opportunity this year to vote on legislation of this nature, we should at least take a step in the right direction. This should serve to put the unscrupulous animal thieves on notice that the Congress will no tolerate any longer their shameful activities.

Mr. CLEVELAND. Mr. Chairman, I rise in support of H.R. 13881, to regulate the sale, transportation and handling of dogs and cats used in research, although I consider it only a beginning on work which should be done to provide humane care for animals used in scientific research.

This bill covers only dogs and cats and it stops at the laboratory door. I am the sponsor of legislation, H.R. 5647, the Cleveland-Clark bill—along with the senior Senator from Pennsylvania—which would set standards of humane care inside the laboratory. It would cover all vertebrate animals used in federally financed scientific research. I am deeply sorry that this bill or one substantially like it has not been brought to the floor of the House.

The bill before us today, however, is a beginning. It is the first step in providing legal requirements for that humane care for animals which ought to be a hallmark of any civilized society. Hopefully, H.R. 13881 will pave the way for further progress. For this reason, I am voting for this worthwhile, if rather timid, step forward.

Mr. DANIELS. Mr. Speaker, I rise in support of the substitute bill offered by my good friend and neighbor from New

Jersey [Mr. HELSTOSKI]. While I feel that the bill which has come to us from the Agriculture Committee is certainly better than the status quo. I also feel that the measures introduced by the gentleman from New Jersey and a similar bill introduced by the beloved gentlewoman from Ohio [Mrs. BOLTON] are more far reaching in nature and thus are preferable to the measure under discussion. I urge all Members to accept the Helstoski substitute.

Mrs. DWYER. Mr. Chairman, I wholeheartedly support the present bill, H.R. 13881, as an effective means of controlling the growing traffic in stolen pets and of assuring at least minimum standards of decency and humaneness in the handling and transporting of dogs and cats intended for use in medical or scientific research.

It seems to me, Mr. Chairman, that this bill represents the very least that Congress can do in dealing with a situation which has become scandalously bad in a relatively short time. Because I believe this bill will equip the Secretary of Agriculture with adequate authority to develop and enforce workable regulations, I have been glad to cosponsor it. But I do not believe we can stop here. I hope that the Committee on Agriculture will take steps to encourage the Secretary to act expeditiously and effectively. I hope the committee will watch the implementation of the legislation carefully and will not hesitate to come back to the House with recommendations for plugging loopholes or otherwise strengthening the law as experience may indicate is necessary.

I also hope that other committees having jurisdiction over related legislation in the field of animal welfare will be encouraged by what I hope will be overwhelming passage of the pending bill to give active consideration to other proposals for protecting both wildlife and domestic animals. It is evident that the people are aroused over the heartless kidnapping of family pets, the brutal treatment of animals being shipped to laboratories, the sometimes needlessly inhumane use to which animals are put within laboratories, and in general the heartless, unthinking, and blindly selfish manner with which we treat a very precious resource.

On few, if any, other legislative issues before Congress during my 10 years in the House have I received so much correspondence over so long and continuing a period of time. By and large, these have been letters from thoughtful and deeply responsible people, representing every social and economic group. They have expressed concern—which I fully share—not only about the suffering imposed on helpless animals or the sense of loss when a family pet is killed or stolen but even more important about the brutalizing effect upon human beings and upon society as a whole when senseless torture of animals entrusted to our care is tolerated.

Those of our constituents who write us on this issue are being moved by truly noble feelings and by the most rational of objectives. It is up to us to listen and to respond effectively.

This bill represents the first significant forward step since we passed the Humane Slaughter Act in 1958. It will immobilize, hopefully, those ruthless and illicit dealers who roam the countryside and prowl the streets in search of cats and dogs. It will require, through licensing and recordkeeping as well as inspection and sanctions, dealers and research facilities to act in a humane and responsible fashion in buying, selling, transporting, and handling cats and dogs. And it will do so in a way that will not interfere with legitimate medical research or scientific experimentation.

I urge our colleagues, Mr. Chairman, to show those most concerned that we mean business.

Mr. QUIE. Mr. Chairman, I have no further requests for time.

Mr. POAGE. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

H.R. 13881

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to protect the owners of dogs and cats and other animals from theft of such pets and to prevent the sale or use of stolen dogs and cats and other animals for purposes of research and experimentation, it is essential to regulate the transportation, purchase, sale, or handling of dogs, cats, and other animals by persons or organizations engaged in using them for research or experimental purposes or in transporting, buying, or selling them for use.

Sec. 2. When used in this Act—

(a) The term "person" includes any individual, partnership, firm, joint stock company, corporation, association, trust, estate, or other legal entity.

(b) The term "Secretary" means the Secretary of Agriculture.

(c) The term "commerce" means commerce between any State, territory, or possession, or the District of Columbia, or Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, but through any place outside thereof; or within any territory or possession or the District of Columbia.

(d) The term "dog" means any live dog of the species (*Canis familiaris*) for use or intended to be used for research, tests, or experiments at research facilities.

(e) The term "cat" means any live domestic cat (*Felis catus*) for use or intended to be used for research, tests, or experiments at research facilities.

(f) The term "animal" means any vertebrate animal for use or intended to be used for research, tests, or experiments at research facilities, except cattle, horses, mules, sheep, goats, or swine.

(g) The term "research facility" means any school, institution, organization, or person that uses or intends to use dogs, cats, or other animals in research, tests, or experiments, and that (1) purchases or transports any such animals in commerce, or (2) receives any funds from the United States or any agency or instrumentality thereof to finance its operations by means of grants, loans, or otherwise.

(h) The term "dealer" means any person who for compensation or profit delivers for transportation, or transports, except as a common carrier, buys, or sells dogs, cats, or other animals in commerce for research purposes.

Sec. 3. No research facility shall purchase or transport dogs, cats, or other animals in commerce unless and until such research facility shall have obtained a license from the

Secretary, or acquire any dog, cat, or other animal from any person except a person holding a valid license as a dealer.

Sec. 4. No dealer shall sell or offer to sell or transport or offer for transportation to any research facility any dog, cat, or other animal, or buy, sell, offer to buy or sell, transport or offer for transportation in commerce to or from another dealer under this Act any such animal, unless and until such dealer shall have obtained a license from the Secretary and such license shall not have been suspended or revoked.

Sec. 5. The Secretary is authorized to promulgate humane standards to govern the handling and transportation of dogs, cats, and other animals by dealers and research facilities, and to promote their health, well-being, and safety: *Provided, however*, That nothing in this Act shall be construed to authorize the Secretary to set standards for the handling of these animals during the actual research or experimentation.

Sec. 6. The Secretary shall issue licenses to research facilities and to dealers upon application therefor in such form and manner as he may prescribe and upon payment of such fee pursuant to section 17 of this Act: *Provided*, that no such license shall be issued until the applicant shall have demonstrated that his facilities comply with the standards promulgated by the Secretary pursuant to section 5 of this Act. The Secretary is further authorized to license, as dealers, persons who do not qualify as dealers within the meaning of this Act upon such persons' complying with the requirements specified above and agreeing, in writing, to comply with all the requirements of this Act and the regulations promulgated by the Secretary hereunder.

Sec. 7. All dogs and cats delivered for transportation, transported, purchased, or sold in commerce to any dealer or research facilities shall be marked or identified in such humane manner as the Secretary may prescribe.

Sec. 8. Research facilities and dealers shall make and keep such records with respect to their purchase, sale, transportation, and handling of dogs, cats, and other animals, as the Secretary may prescribe. Such records shall be kept open at all reasonable times to inspection by the Secretary or any person duly authorized by him.

Sec. 9. The Secretary is authorized to cooperate with the officials of the various States or political subdivisions thereof in effectuating the purposes of this Act and of any State, local, or municipal legislation or ordinance on the same subject.

Sec. 10. No dealer shall sell or otherwise dispose of any dog or cat within a period of five business days after the acquisition of such animal or within such other period as may be specified by the Secretary.

Sec. 11. The Secretary is authorized to promulgate such rules, regulations, and orders as he may deem necessary in order to effectuate the purposes of this Act.

Sec. 12. (a) If the Secretary has reason to believe that any research facility has violated or is violating any provision of this Act or any of the rules or regulations promulgated by the Secretary hereunder and if, after notice and opportunity for hearing, he finds a violation, he may make an order that such research facility shall cease and desist from continuing such violation. If the Secretary determines that such violation was willful, he shall also prepare a report in writing in which he shall state his findings as to the facts and shall certify such report to each agency of the Federal Government furnishing funds to such research facility to finance research, tests, or experiments involving the use of dogs, cats, or other animals with a recommendation that such funds be withdrawn for such period as the Secretary may specify, and each such agency so notified shall suspend all such payments,

loans, or grants to such research facility, all other laws or parts of law notwithstanding.

(b) If the Secretary has reason to believe that any person licensed as a dealer has violated or is violating any provision of this Act or any of the rules or regulations promulgated by the Secretary hereunder, the Secretary may suspend such person's license temporarily, but not to exceed twenty-one days, and, after notice and opportunity for hearing, may suspend for such additional period as he may specify, or revoke, such license if such violation is determined to have occurred and may make an order that such person shall cease and desist from continuing such violation.

(c) Any research facility, dealer, or other person aggrieved by a final order of the Secretary issued pursuant to subdivisions (a) and (b) of this section may, within sixty days after entry of such order, file a petition to review such order in the United States Court of Appeals for the judicial circuit in which the party or any of the parties filing the petition for review resides or has its principal office, or in the United States Court of Appeals for the District of Columbia. Upon the filing and service of a petition to review, the Court of Appeals shall have jurisdiction of the proceeding. For the purposes of this Act, the provisions of chapter 19A (Hobbs Act) of title 5, United States Code, shall be applicable to appeals pursuant to this section.

Sec. 13. When construing or enforcing the provisions of this Act, the act, omission, or failure of any individual acting for or employed by a research facility or a dealer, or a person licensed as a dealer pursuant to the second sentence of section 6, within the scope of his employment or office, shall be deemed the act, omission, or failure of such research facility, dealer, or other person as well as of such individual.

Sec. 14. Any research facility or dealer who operates without a license from the Secretary issued pursuant to this Act or while such license is suspended or revoked, and any research facility, dealer, or person licensed as a dealer pursuant to the second sentence of section 6 who knowingly fails to obey a cease-and-desist order made by the Secretary under the provisions of section 12 of this Act shall forfeit to the United States the sum of \$500 for each offense. Such forfeiture shall be recoverable in a civil suit in the name of the United States. It shall be the duty of the various United States attorneys, under the direction of the Attorney General, to bring suit for the recovery of forfeitures.

Sec. 15. Whenever it shall appear to the Secretary that any person has engaged, is engaging, or is about to engage in any act or practice constituting a violation of any provision of this Act, or any rule, regulation, or order thereunder, the Secretary may notify the Attorney General, and the Attorney General may bring an action in the proper district court of the United States or the proper United States court of any territory or other place subject to the jurisdiction of the United States, to enjoin such act or practice and to enforce compliance with this Act, or any rule, regulation, or order thereunder, and said courts shall have jurisdiction to entertain such actions. Any action under this section may be brought in the district wherein the defendant is found or is an inhabitant or transacts business or in the district where the act or practice in question occurred or is about to occur, and process in such cases may be served in any district where the defendant may be found.

Sec. 16. If any provision of this Act or the application of any such provision to any person or circumstances shall be held invalid, the remainder of this Act and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

Sec. 17. In order to finance the administration of this Act, the Secretary shall charge, assess, and cause to be collected reasonable fees for licenses issued. Such fees shall be adjusted on an equitable basis taking into consideration the type and nature of the operations to be licensed and shall cover as nearly as practicable the costs of administering the provisions of this Act. All such fees shall be deposited in a fund which shall be available without fiscal year limitation for use in administering the provisions of this Act together with such funds as may be appropriated thereto, and there are hereby authorized to be appropriated such funds as Congress may from time to time provide.

Sec. 18. This Act shall take effect one hundred and twenty days after enactment.

Mr. POAGE (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and be open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentlemen from Texas?

There was no objection.

The CHAIRMAN. The Clerk will report the first committee amendment.

The Clerk read as follows:

On page 1, line 3, strike out "and other animals".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 1, line 5, strike out "and other animals".

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

On page 1, beginning on line 7, strike out "dogs, cats, and other animals" and insert "dogs and cats".

The committee amendment was agreed to.

Mr. POAGE. Mr. Chairman, I ask unanimous consent that the remaining committee amendments be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Clerk will report the remaining committee amendments.

The Clerk read as follows:

Page 2, line 2, after the word "for", insert "such".

Page 2, line 11, after the word "or", insert with caps "The Commonwealth of".

Page 2, beginning on line 22 strike out all of subsection (f). Redesignate subsections (g) and (h) as subsections (f) and (g), respectively.

Page 3, line 3, strike out "dogs, cats, or other animals" and insert "dogs or cats".

Page 3, line 5, strike out "such animals" and insert "dogs or cats".

Page 3, line 12, strike out "dogs, cats, or other animals" and insert "dogs or cats".

Page 3, line 15, strike out "dogs, cats, or other animals" and insert "dogs or cats".

Page 3, line 17, strike out "dog, cat, or other animal" and insert "dog or cat".

Page 3, beginning on line 21, strike out "dog, cat, or other animal", and insert "dog or cat".

Page 3, line 24, strike out "such animal," and insert "dog or cat".

Page 4, line 5, strike out "dogs, cats, and other animals" and insert "dogs and cats".

Page 4, beginning on line 5, strike out "and research facilities".

Page 4, line 9, strike out "these animals" and insert "dogs and cats".

Page 4, line 10, strike out the period and add "or at any time subsequent to the arrival of such animals at a research facility".

Page 4, line 14, following the word "fee" insert "established".

Page 4, line 15, strike out "applicant" and insert "dealer".

On page 4, line 18, change the period after the word "Act" to a colon and add:

Provided, however, That any person who derives less than a substantial portion of his income (as determined by the Secretary) from the breeding and raising of dogs and cats on his own premises and sells such animals to a dealer shall not be required to obtain a license as a dealer under this Act.

Page 5, line 3, strike out "Research facilities and dealers" and insert "Dealers".

Page 5, line 5, strike out "dogs, cats, and other animals," and insert "dogs and cats".

Page 5, line 6, following the first sentence of section 8, insert the following new sentence: "Research facilities shall make and keep such records with respect to their purchase, sale, and transportation of dogs and cats as the Secretary may prescribe."

Page 6, line 4, strike out "willful" and insert "willful and likely to continue."

Page 6, line 9, strike out "dogs, cats, or other animals" and insert "dogs or cats".

Page 6, line 12, after the phrase "such research facility," insert "unless such agency finds that such suspension would not be in the public interest,".

Page 7, line 1, strike out "subdivisions" and insert "subsections".

Page 8, line 1, strike out the period at the end of the sentence and add "and each day of operating without a valid license or failing to obey a cease and desist order shall constitute a separate offense."

The CHAIRMAN. The question is on agreeing to the committee amendments. The committee amendments were agreed to.

AMENDMENT OFFERED BY MRS. BOLTON

Mrs. BOLTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. BOLTON: Strike out all after the enacting clause and insert in lieu thereof the text of the bill H.R. 13346, as amended, as follows:

That, in order to protect the owners of dogs, cats, and other animals from theft of such pets and to prevent the sale or use of stolen dogs, cats, or other animals for purposes of research and experimentation, it is essential to regulate the transportation, purchase, sale, and handling of dogs, cats, and other animals by persons or organizations engaged in transporting, buying, or selling them for use in research or experimental purposes.

SEC. 2. As used in this Act—

(a) The term "person" includes any individual, partnership, association, or corporation;

(b) The term "Secretary" means the Secretary of Agriculture;

(c) The term "commerce" means commerce between any State, territory, or possession, or the District of Columbia or Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, but through any place outside thereof; or within any territory or possession or the District of Columbia.

(d) The term "dog" means any live dogs of the species *Canis familiaris* for use or intended to be used for research tests or experiments at research facilities.

(e) The term "cat" means any live domestic cat (*Felis catus*) for use or intended to be used for research, tests, or experiments at research facilities.

(f) The term "animal" means any vertebrate animal.

(g) The term "research facility" means any school, institution, organization, or person that uses or intends to use dogs, cats or other animals in research, tests, or experiments, and that (1) purchases or transports such animals or certain of such animals in commerce or (2) receives any funds from the United States or any agency or instrumentality thereof to finance its operations by means of grants, loans, or otherwise.

(h) The term "dealer" means any person who for compensation or profit delivers for transportation, transports, boards, buys, or sells dogs, cats, or other animals in commerce for research purposes.

SEC. 3. It shall be unlawful for any research facility to purchase or transport dogs, cats, or other animals in commerce except from a dealer licensed in accordance with this Act.

SEC. 4. It shall be unlawful for any dealer to sell or offer to sell or to transport to any research facility any dog, cat, or other animal to buy, sell, offer to buy or sell, transport or offer for transportation in commerce or to another dealer under this Act any such animal, unless and until such dealer shall have obtained a license from the Secretary in accordance with such rules and regulations as the Secretary may prescribe pursuant to this Act, and such license shall not have been suspended or revoked.

SEC. 5. The Secretary shall promulgate standards for the humane care of animals by dealers. The term "humane care" shall mean the type of care which a responsible and conscientious owner would ordinarily provide for an animal kept as a household pet to prevent the animal's suffering, sickness, injury, or other discomfort and shall include but not be limited to housing, feeding, watering, handling, sanitation, ventilation, shelter from extremes of weather and temperature, and separation by species, sex, and temperament both in the dealer's facility and in transportation. The sale, offer to buy or sell, transport or offer for transportation in commerce or to another dealer of any sick, injured, unweaned, or pregnant animal is expressly forbidden.

SEC. 6. All dogs and cats delivered for transportation, transported, purchased, or sold in commerce or to research facilities shall be identified by a photograph or by such other humane and painless manner as the Secretary may prescribe.

SEC. 7. Dealers shall make and keep for a period of no less than two years such records with respect to their purchase, sale, transportation, and handling of dogs, cats, and other animals, as the Secretary may prescribe. Such records shall include a bill of sale for each animal and any collars, tags, or other identifying equipment which accompanied the animals at the time of their acquisition by the dealer. The bill of sale shall contain such information as shall be prescribed by the Secretary. Any bill of sale which is fraudulent or indicates larceny of any animal shall be grounds for prosecution and revocation of license called for in section 14 and for the penalty called for in section 12. Dealers shall be open to inspection by representatives of the Secretary or to any police officer or agent of any legally constituted law enforcement agency.

SEC. 8. The Secretary shall take such action as he may deem appropriate to encourage the various States of the United States to adopt such laws and to take such action as will promote and effectuate the purposes of this Act and the Secretary is authorized to cooperate with the officials of the various States in effectuating the purposes of this Act and any State legislation on the same subject.

SEC. 9. No dealer shall sell or otherwise dispose of any dog, cat, or other animal within a period of five business days after the acquisition of such animals. Representatives of the Secretary, any police officer or agent of any legally constituted law enforcement agency shall assist any owner of any animal who has reason to believe the animal may be in the possession of a dealer in searching the dealer's premises, after obtaining the proper search warrant from the local authorities in whose jurisdiction the dealer's premises are located.

SEC. 10. Dogs, cats, and other animals shall not be offered for sale or sold in commerce or to a research facility at public auction or by weight; or purchased in commerce or by a research facility at public auction or by weight. No research facility shall purchase any animals except from a licensed dealer.

SEC. 11. The Secretary is authorized and directed to promulgate such rules, regulations and orders as he may deem necessary in order to require compliance with the standards for the humane care of animals called for in section 5 and all other purposes and provisions of this Act. Such rules, regulations, and orders shall be published within a reasonable time after enactment of this Act.

(a) Representatives of the Secretary shall inspect dealer's facilities no less than six times a year to determine whether the standards and other provisions of this Act are being complied with. The Secretary shall also require the regular inspection of transportation of animals by and from dealers to research facilities and may delegate that responsibility to law enforcement officers of the States or to agents of any legally constituted law enforcement agencies.

SEC. 12. Any person who violates any provision of this Act shall, on conviction thereof, be subject to imprisonment for not more than one year or a fine of not more than \$10,000 and to revocation of the license described in section 4 and shall not be eligible for another license under this Act. The penalty created by this section shall be recovered by civil action in the name of the United States in the circuit or district court within the district where the violation may have been committed or the person or corporation resides or carries on business; and it shall be the duty of the United States attorneys to prosecute all violations of this Act reported by the Secretary, or which come to their notice or knowledge by other means.

SEC. 13. When construing or enforcing the provisions of this Act, the act, omission, or failure of any individual acting for or employed by a research facility or a dealer within the scope of his employment or office shall be deemed the act, omission, or failure of such research facility or dealer as well as of such individual.

SEC. 14. If the Secretary has reason to believe that a dealer has violated any provision of this Act or the regulations promulgated thereunder, the Secretary shall suspend such dealer's license temporarily, and, after notice and opportunity for hearing, shall revoke such license if such violation is determined to have occurred. The Secretary shall also suspend temporarily the license of any dealer prosecuted for cruelty under the laws of any of the States for the prevention of cruelty to animals and in the event of a conviction under any of such laws of the States, the Secretary shall revoke the dealer's license.

SEC. 15. If any provisions of this Act or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Act and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 16. In order to finance the administration of this Act, the Secretary shall charge, assess, and cause to be collected appropriate fees for licenses issued to dealers. All such

fees shall be deposited and covered into the Treasury as miscellaneous receipts.

SEC. 17. EFFECTIVE DATE.—This Act shall take effect one hundred and twenty days after enactment.

Mrs. BOLTON (interrupting the reading). Mr. Chairman, since copies of the bill are available to Members, it is not necessary to read it, and I ask unanimous consent that further reading of the amendment be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

Mr. POAGE. Mr. Chairman, reserving the right to object, I should like to ask whether the bill to which the amendment refers is the same as the Helstoski bill?

Mrs. BOLTON. Not quite.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The CHAIRMAN. The gentlewoman from Ohio is recognized for 5 minutes in support of her amendment.

Mrs. BOLTON. Mr. Chairman, the amendment is very simple. I think it would be well if I merely said that the definitions are the same. The term "dealer" would mean the same. I omitted, as the committee did, research and facilities and leaving the dealers, the matter of records, and the matter of records being open to investigation or open to reading by anyone.

The same is there in respect to the violations. It is, in a way, rather a simpler bill. I ask that it be accepted.

SUBSTITUTE AMENDMENT OFFERED BY MR. HELSTOSKI TO THE AMENDMENT OFFERED BY MRS. BOLTON

Mr. HELSTOSKI. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentlewoman from Ohio.

The Clerk read as follows:

Substitute amendment offered by Mr. HELSTOSKI to the amendment offered by Mrs. BOLTON:

"That, in order to protect the owners of dogs, cats, and other animals from theft of such pets and to prevent the sale or use of stolen dogs, cats, or other animals for purposes of research and experimentation, it is essential to regulate the transportation, purchase, sale, and handling of dogs, cats, and other animals by persons or organizations engaged in transporting, buying, or selling them for use in research or experimental purposes.

"SEC. 2. As used in this Act—

"(a) The term 'person' includes any individual, partnership, association, or corporation;

"(b) The term 'Secretary' means the Secretary of Agriculture;

"(c) The term 'commerce' means commerce between any State, territory, or possession, or the District of Columbia or Puerto Rico, and any place outside thereof; or between points within the same State, territory, or possession, or the District of Columbia, but through any place outside thereof; or within any territory or possession or the District of Columbia.

"(d) The term 'dog' means any live dogs of the species *Canis familiaris* for use or intended to be used for research tests or experiments at research facilities.

"(e) The term 'cat' means any live domestic cat (*Felis catus*) for use or intended to be used for research, tests, or experiments at research facilities.

"(f) The term 'animal' means any vertebrate animal.

"(g) The term 'research facility' means any school, institution, organization, or person that uses or intends to use dogs, cats or other animals in research, tests, or experiments, and that (1) purchases or transports such animals or certain of such animals in commerce or (2) receives any funds from the United States or any agency or instrumentality thereof to finance its operations by means of grants, loans, or otherwise.

"(h) The term 'dealer' means any person who for compensation or profit delivers for transportation, transports, boards, buys, or sells dogs, cats, or other animals in commerce for research purposes.

"SEC. 3. It shall be unlawful for any research facility to purchase or transport dogs, cats, or other animals in commerce except from a dealer licensed in accordance with this Act.

"SEC. 4. It shall be unlawful for any dealer to sell or offer to sell or to transport to any research facility any dog, cat, or other animal to buy, sell, offer to buy or sell, transport or offer for transportation in commerce or to another dealer under this Act any such animal, unless and until such dealer shall have obtained a license from the Secretary in accordance with such rules and regulations as the Secretary may prescribe pursuant to this Act, and such license shall not have been suspended or revoked.

"SEC. 5. The Secretary shall promulgate standards for the humane care of animals by dealers. The term 'humane care' shall mean the type of care which a responsible and conscientious owner would ordinarily provide for an animal kept as a household pet to prevent the animals' suffering, sickness, injury, or other discomfort and shall include but not be limited to housing, feeding, watering, handling, sanitation, ventilation, shelter from extremes of weather and temperature, and separation by species, sex, and temperament both in the dealer's facility and in transportation. The sale, offer to buy or sell, transport or offer for transportation in commerce or to another dealer of any sick, injured, unweaned, or pregnant animal is expressly forbidden.

"SEC. 6. All dogs and cats delivered for transportation, transported, purchased, or sold in commerce or to research facilities shall be identified by a photograph or by such other humane and painless manner as the Secretary may prescribe.

"SEC. 7. Research facilities and dealers shall make and keep for a period of no less than two years such records with respect to their purchase, sale, transportation, and handling of dogs, cats, and other animals, as the Secretary may prescribe. Such records shall include a bill of sale for each animal and any collars, tags, or other identifying equipment which accompanied the animals at the time of their acquisition by the dealer. The bill of sale shall contain such information as shall be prescribed by the Secretary. Any bill of sale which is fraudulent or indicates larceny of any animal shall be grounds for prosecution and revocation of license called for in section 14 and for the penalty called for in section 12. Records made and kept by research facilities shall be open to inspection by representatives of the Secretary or to any police officer or agent of any legally constituted law enforcement agency.

"SEC. 8. The Secretary shall take such action as he may deem appropriate to encourage the various States of the United States to adopt such laws and to take such action as will promote and effectuate the purposes of this Act and the Secretary is authorized to cooperate with the officials of the various States in effectuating the purposes of this Act and any State legislation on the same subject.

"SEC. 9. No dealer shall sell or otherwise dispose of any dog, cat, or other animal with-

in a period of five business days after the acquisition of such animals. Representatives of the Secretary, any police officer or agent of any legally constituted law enforcement agency shall assist any owner of any animal who has reason to believe the animal may be in the possession of a dealer in searching the dealer's premises, after obtaining the proper search warrant from the local authorities in whose jurisdiction the dealer's premises are located.

"SEC. 10. Dogs, cats, and other animals shall not be offered for sale or sold in commerce or to a research facility at public auction or by weight; or purchased in commerce or by a research facility at public auction or by weight. No research facility shall purchase any animals except from a licensed dealer.

"SEC. 11. The Secretary is authorized and directed to promulgate such rules, regulations and orders as he may deem necessary in order to require compliance with the standards for the humane care of animals called for in section 5 and all other purposes and provisions of this Act. Such rules, regulations, and orders shall be published within a reasonable time after enactment of this Act.

"(a) Representatives of the Secretary shall inspect dealer's facilities no less than six times a year to determine whether the standards and other provisions of this Act are being complied with. The Secretary shall also require the regular inspection of transportation of animals by and from dealers to research facilities and may delegate that responsibility to law enforcement officers of the States or to agents of any legally constituted law enforcement agencies.

"SEC. 12. Any person who violates any provision of this Act shall, on conviction thereof, be subject to imprisonment for not more than one year or a fine of not more than \$10,000 and to revocation of the license described in section 4 and shall not be eligible for another license under this Act. The penalty created by this section shall be recovered by civil action in the name of the United States in the circuit or district court within the district where the violation may have been committed or the person or corporation resides or carries on business; and it shall be the duty of the United States attorneys to prosecute all violations of this Act reported by the Secretary, or which come to their notice or knowledge by other means.

"SEC. 13. When construing or enforcing the provisions of this Act, the act, omission, or failure of any individual acting for or employed by a research facility or a dealer within the scope of his employment or office shall be deemed the act, omission, or failure of such research facility or dealer as well as of such individual.

"SEC. 14. If the Secretary has reason to believe that a dealer has violated any provision of this Act or the regulations promulgated thereunder, the Secretary shall suspend such dealer's license temporarily, and, after notice and opportunity for hearing, shall revoke such license if such violation is determined to have occurred. The Secretary shall also suspend temporarily the license of any dealer prosecuted for cruelty under the laws of any of the States for the prevention of cruelty to animals and in the event of a conviction under any of such laws of the States, the Secretary shall revoke the dealer's license.

"SEC. 15. If any provisions of this Act or the application of any such provision to any person or circumstances, shall be held invalid, the remainder of this Act and the application of any such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

"SEC. 16. In order to finance the administration of this Act, the Secretary shall

charge, assess, and cause to be collected appropriate fees for licenses issued to dealers. All such fees shall be deposited and covered into the Treasury as miscellaneous receipts.

"SEC. 17. EFFECTIVE DATE.—This Act shall take effect one hundred and twenty days after enactment."

Mr. HELSTOSKI. Mr. Chairman, the bill under present consideration by the House is a result of hearings which were held by the House Agriculture Committee. These hearings have spotlighted the old, but not widely known, story of how miserly our civilized society lets some of its members treat defenseless animals in the process of making a fast dollar.

The hearings have proven beyond any reasonable doubt that Federal legislation is absolutely essential to eliminate a nationwide evil. Essentially, the hearings brought out the tale so graphically told in the February 4 issue of Life magazine, of animals destined for scientific experiment, kept and shipped under appalling conditions of dirt, semistarvation and lack of proper shelter.

Many of these animals are domestic pets, stolen and sold in greedy haste by dognapers. Thefts are estimated to account for about half of the Nation's annual toll of missing pets.

The people of the Nation have been shocked into reality of this vast enterprise and have become outraged by the abuse heaped upon these defenseless animals.

The hearings covered about 50 bills designed to regulate the traffic in laboratory animals or their treatment under experiment. The result of these hearings is, as I stated before, the bill under consideration, which actually does not provide the necessary means to correct the present abuses.

We speak of correcting these abuses, yet to me, this bill becomes a totally meaningless mass of words actually licensing federally these abuses. It offers ample room for much-needed improvement in its language. In my estimation, this legislation is not what the aroused public wants. It has many flaws and omissions of factors which are so vital to good legislation in this field of dog-napping and cat stealing, and the transportation thereof. This is the heart of the matter.

Some of the major factors which are missing in this bill and which are of prime importance to the correction of present abuses can be enumerated on the fingers of one hand, which I cannot stress too deeply as being necessary to this bill.

First, the most glaring omission is the fact that it permits the continued practice of selling dogs and cats at auction sales and by body weight. This practice is the most widely used abuse of animals in which a great number of them are fraudulently acquired and which change hands so frequently that an owner has no chance or hope of reclaiming or recovering his or his child's pet.

Practically every bill introduced on this topic, from the time the first bill was introduced early last year, has provisions which would ban the sale of pets at auction or by body weight. Why

should this bill be different by the omission of this vital factor? The prohibition on the sale of animals by weight and public auction would dry up the sources of animal supply that is so cheap that callous dealers can afford to let many starve or freeze to death.

A safeguard against theft or fraudulent acquisition of animals is the necessity of having a bill of sale indicating legal acquisition issued for each animal. This bill omits that feature and, again, I ask why this provision is not embodied in the pending legislation?

Next, this bill fails to require inspection of dealer's facilities and his methods of transportation of animals. Since this omission is so evident, the dealers can continue to operate without fear that their business will be curtailed because of unsanitary conditions and with dilapidated transportation means.

As we look deeper into this pending bill, we notice that it does not call for the revocation of licenses of dealers who violate the law. With this feature lacking in the bill, any violator can be sure that he can continue in business even if he is caught in the web of the law. It does not provide for adequate fines for any violations, and the penalties imposed by the pending bill, to my way of thinking, can be construed by unscrupulous dealers as a nominal fine and continue their business operations. The volume of their trade can readily absorb any penalties which may be imposed upon them under the terms of this bill.

Last, but not least, this bill does not give the legislative intent on the humane standards that the Secretary of Agriculture would be required to promulgate.

This legislation is basically permissive in character and radically different from the bill which I introduced on this topic. My bill, H.R. 10743, and eight similar bills introduced by Members of this body would require mandatory enforcement in this field.

In contrast to this bill, which embodies the previously mentioned deficiencies and complete lack of clarity, my bill and the several others of similar text would present the very minimum in legislation required to do the job which we wish to correct in the field of animal theft and abuse.

We, in this Congress, have many weighty matters to consider along with this legislation. We will have matters that are less urgent as well, but as we consider a curb on pet theft and needless cruelty to animals we should take into cognizance a measure that is moderate, workable, realistic and the minimum that we should pass at this time. The presently pending bill does not do so.

It appears that this House will pass a meaningless and weak bill and it should not take the attitude that something is better than nothing. The present bill will not solve anything, rather it will add to the confusion surrounding the practice of dognaping and cat stealing.

My interest in this legislation is of long duration, but I cannot see the adequacy of this bill insofar as being an instrument in correcting the obvious abuses. My bill, 10743, requiring realistic regulations is available for consideration.

Bills of like text are also available for action.

It is my hope that this House passes legislation realistic in its purposes and effective in its workability.

Mr. RESNICK. Mr. Chairman, I rise in opposition to the amendment.

I do not find it a pleasant duty to disagree with my distinguished colleague and friend from New Jersey, but I believe I must.

I should like to go back to the original bill I introduced in this field, H.R. 9743. In that bill there was a prohibition on auction by body weight. The committee bill does not contain that prohibition for a simple reason. We could find no evidence and no testimony to the effect that it was still going on. It might have been going on in days past, but a very thorough investigation showed it had been stopped. As a matter of fact, CBS News spent days at the auctions and could find no evidence of this terrible practice taking place.

It is also important to point out, as our distinguished chairman pointed out, that the auctions will be regulated, as dealers will be, so that such terrible conditions will not be allowed to exist.

So far as inspection is concerned, I believe my distinguished colleague from New Jersey is wrong on that. As I pointed out in my colloquy with the gentleman from Ohio, unless these dealers meet certain standards they simply will not get licenses. If they do not get licenses they will not be in business and they will not be permitted to sell animals to the research facilities.

Again I must disagree with my friend from New Jersey, when he says that there is no provision for humane treatment. That is not so. The Secretary is instructed to set humane treatment standards for the dealers.

I believe the gentleman will agree with me that most of the evidence turned up to date shows that the inhuman handling and treatment of dogs has been by the dealers rather than by the hospitals and research centers.

We all know that the whole area of humane treatment for research animals is a broad one and requires a great deal of study and care. This is the subject of a bill introduced by my distinguished colleague from Florida [Mr. PEPPER] and my distinguished colleague from Florida [Mr. ROGERS] and this subject will be discussed at a later date.

Again I would like to make it very clear for the RECORD why I oppose the substitute amendment to the amendment. It is because the Poage bill accomplishes essentially what we want to accomplish. It prevents as much as is humanly possible the theft of dogs and cats for medical research purposes by taking the profit motive out of it. That is the whole thrust of the bill, and I think it accomplishes it very well.

Mr. HELSTOSKI. Mr. Chairman, will the gentleman yield?

Mr. RESNICK. I yield to the gentleman from New Jersey.

Mr. HELSTOSKI. The point is this: We do not have to leave this to the Secretary of Agriculture to promulgate any

standards of humane treatment. We can write it in the bill and say:

The Secretary shall promulgate standards for the humane care of animals by dealers. The term "humane care" shall mean the type of care which a responsible and conscientious owner would ordinarily provide for an animal kept as a household pet to prevent the animal's suffering, sickness, injury, or other discomfort and shall include but not be limited to housing, feeding, watering, handling, sanitation, ventilation, shelter from extremes of weather and temperature, and separation by species, sex, and temperament both in the dealer's facility and in transportation. The sale, offer to buy or sell, transport or offer for transportation in commerce or to another dealer of any sick, injured, unweaned, or pregnant animal is expressly forbidden.

Mr. RESNICK. If the gentleman will permit me to answer, I will say it is very true, and I believe that again it was a question as to whether it should go under the Secretary of Agriculture or the Secretary of Health, Education, and Welfare. I believe it should go under the Secretary of Agriculture, because of the Department's long history and knowledge of the care and handling of all kinds of animals and not just dogs and cats. I think it is reasonable to assume, and I have full confidence, that our distinguished Secretary of Agriculture and his great Department will certainly come up with standards which will satisfy the most critical eye.

Mr. MINSHALL. Mr. Chairman, I rise in support of the amendment.

I urge the House to support the amendment offered by my friend, neighbor, and distinguished colleague, the gentlewoman from Ohio [Mrs. BOLTON].

As all of us know, the public demands strong legislation to protect animals against theft and against cruel treatment by dealers of animals used in research.

We will not satisfy this public mandate or stamp out the cruel traffic through the bill reported by the House Committee on Agriculture which is before us today.

The committee bill is entirely permissive, leaving enforcement to the discretion of the Secretary of Agriculture. The present occupant of that office has shown a singular lack of enthusiasm for legislation of this type.

There is no clarification of humane standards in the committee bill. It permits the continued sale of animals at auction and by body weight, and it is in this area that some of the greatest cruelties have occurred.

Nowhere in the bill is there a provision requiring bills of sale as a safeguard against theft and fraudulent acquisitions of animals by dealers.

And nowhere does the measure require that a dealer's license be revoked for violation of the statute. There are no criminal penalties, and the fine provided is scarcely a deterrent when one considers that with our civil dockets so crowded it might well be a year or more before a case would reach the courts.

Mrs. BOLTON's amendment, as one of our Cleveland newspapers put it, makes "A dog bill with teeth in it." I hasten to point out that it, of course, protects

more than dogs, but includes all animals. Here too it is far more inclusive than the committee bill, which provides protection only to dogs and cats.

The amendment would prohibit the sale of animals at auction or by weight; require the humane housing, handling, and transport of animals by dealers; require Federal inspection of dealers' premises and transport; would license dealers, subject to revocation for violations of the act or of the anticruelty laws of the individual State. It calls for stern and realistic penalties.

We know what American citizens want in the way of law and by supporting this amendment we can give it to them.

Mr. KUPFERMAN. Mr. Chairman, will the gentleman yield?

Mr. MINSHALL. No, I do not yield to the gentleman. I am out of time.

Mr. QUIE. Mr. Chairman, I rise in opposition to the Helstoski amendment. (Mr. QUIE asked and was given permission to revise and extend his remarks.)

Mr. QUIE. Mr. Chairman, the gentleman from Ohio [Mr. MINSHALL], said he wants a dog bill with teeth in it.

Mr. Chairman, I would say that the committee bill has more teeth in it than the Helstoski bill.

Mr. Chairman, I thought that we ought to just take a minute and see some of the faults that are contained in the Helstoski bill, and there were a number of bills similar to it introduced by others of my colleagues, which bills came before our Committee on Agriculture and which committee looked at and studied seriously.

However, Mr. Chairman, we felt very strongly that the legislation which we reported out and which is before us today as H.R. 13881 is better than the legislation in these two amendments. H.R. 13881 is not exactly what anyone introduced. It surely was not what I introduced. I believe it represents a stronger piece of legislation than any bill which the committee considered.

Mr. Chairman, the Helstoski bill could very likely impair the flow of animals to research facilities. These animals are very desperately needed at our various research facilities.

Mr. Chairman, if we are going to work on diseases that now kill human beings—and human beings come first in our view—then the flow of research animals must continue to be available to our research facilities.

Mr. Chairman, under section 16 of the Helstoski bill the cost of the license would be borne entirely by the dealer and the common carrier. There is no provision under their bill for supplemental financing through the medium of appropriations or for research facilities to share the cost thereof.

But, Mr. Chairman, let us assume that there are 1,000 dog dealers and common carriers throughout the Nation. Based upon the estimate of the Department of Commerce of a little over \$1 million as the annual cost of this program, the licensing could run as high as \$1,000 per person.

Mr. Chairman, this figure seems to me to be prohibitive for any person of

average means to pay. We do not feel badly at all at charging a license of \$1,000 to a dog dealer who has been abusing and stealing animals. However, there are legitimate and good dealers in the business. This charge, in our opinion, would put them out of business and the result would be that fewer animals would find their way into this outlet, animals that should be used for research purposes.

Mr. Chairman, next permit me to point out that all vertebrates, not just cats and dogs, would be covered in the Helstoski bill. At first I had sympathy with this point of view, but after hearing the witnesses I am convinced that dogs and cats are all it should regulate at the present time.

Mr. Chairman, one section of the various proposals such as contained in the Helstoski bill requires that the bill of sale be available for each animal kept by research facilities for not less than 2 years.

Mr. Chairman, one can imagine the paperwork and administrative burden imposed through such a requirement when applied to about 59 million rats and mice which are used for cancer research alone. It is not feasible.

Further, Mr. Chairman, section 11(a) of that bill would permit the Secretary of the Department of Agriculture to delegate to State and local law enforcement officers the responsibility for enforcing the provisions of this legislation. One can ask the question, Is this constitutional for a Federal Cabinet officer to use the State and county enforcement authorities to carry out his responsibilities? If so, who is to pay them for their time and work?

Mr. Chairman, it is obvious from this that there are serious questions with reference to the provisions of the Helstoski bill.

Next, Mr. Chairman, there are proposals which would require common carriers to be licensed dealers, notwithstanding the fact that all common carriers except trucks are already required by the 28-hour law to treat in a humane manner any animals that they carry.

Next the Helstoski bill requires that the Secretary of Agriculture become a State lobbyist because when you look at the language in section 8, it says:

The Secretary shall take such actions as he may deem appropriate to encourage the various States of the United States to adopt such laws and to take such actions as will promote and effectuate the purposes of this Act and the Secretary is authorized to cooperate with the officials of the various States in effectuating the purposes of this Act and any State legislation on the same subject.

This does not seem to me to be a very desirable policy for the Secretary of Agriculture to pursue.

Next, there exists a serious question whether these bills are drafted in a manner to insure adequate enforcement. Section 14 states than any "person" who violates the legislation will be subject to fine or imprisonment. But is a research facility a "person"? "Person" is defined earlier in these bills as an "individual, partnership, association, or corporation." In most cases, I would guess research fa-

cilities would not be "persons," thus the prohibition against purchasing animals in section 3 would not be enforceable.

Next, the language of section 2(h) in these proposals is broad enough to include every farmer, hatcheryman, or pet owner in the United States who sells one dog, cat, or other vertebrate animal for medical research purposes. The committee bill has taken care of this problem by creating an exemption for persons who sell small number of animals. Unless some reasonable exemption is provided for, a very vital source of research animals would be completely eliminated, thus causing irreparable injury to our medical research effort.

Finally, these bills propose to spell out in greater detail the definition of "humane care." Yet the standard set in section 5 is still vague and indefinite.

In summary, these bills are all aimed at the same target as the committee bill, but they contain many defects. They would impair medical research, impose excessive license fees, regulate common carriers, create continuing litigation and place upon the Secretary of Agriculture an unwise responsibility.

The Committee on Agriculture has considered all these problems and proposals and has incorporated the best of 45 different bills into H.R. 13881 which deserves the support of this body.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. QUIE. I yield to the gentleman from Iowa.

Mr. GROSS. I have read this bill rather carefully. Nowhere do I find any provision, with reference to the humane treatment of dogs, that they not be lifted by their ears. Does the gentleman think this might be included in the bill?

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. ADDABBO. Mr. Chairman, I move to strike out the last word and rise in support of the amendment offered by the gentleman from New Jersey [Mr. HELSTOSKI].

Mr. Chairman, I rise in support of the Helstoski amendment for I believe that the bill before us today is a step in the direction of humane treatment of animals, but it is such a minor step that one worries whether it is even worthwhile. I realize that scientific research is necessary and do not wish to give the impression that animals should not be used in research, but I do believe that certain standards of humane treatment are warranted. I believe that we should take this opportunity today to enact a more far-reaching and effective bill than H.R. 13881. Let us make sure that poor defenseless animals are not subjected to inhuman torture even in the name of medical progress.

(Mr. ADDABBO asked and was given permission to revise and extend his remarks.)

Mr. FRASER. Mr. Chairman, I move to strike out the last word and rise in opposition to both amendments.

Mr. Chairman, I will just take a minute or two to reemphasize the point that the gentleman from Minnesota has been making. As I understand it, under either

of these proposed amendments not only would dogs and cats be covered but so would mice, fish, hamsters and rabbits, guinea pigs and a variety of other animals, the numbers of species of which run something on the order of several hundred. So it would seem to me that the suggestion that some 50 million or 60 million mice ought to be separately identified and photographed and a record kept of each one of these animals would be an excessive burden where there is no evidence of a problem of theft of these kinds of animals.

So, Mr. Chairman, I think the work of the committee which has been careful and deliberate ought to be sustained and that both of these amendments which have provisions in them that are really unreasonable and unworkable ought to be rejected.

Mrs. MAY. Mr. Chairman, I rise in opposition to the amendments.

Mr. Chairman, for the reasons that have been outlined by my colleagues, I am opposed to the Helstoski amendment as it amends the Bolton amendment and also to the Bolton amendment.

I would like to comment on one statement made by our colleagues, the gentleman from New Jersey [Mr. HELSTOSKI] when he said in support of his amendment that the bill we have before us here today does not allow us to inspect premises of dealers.

I would point out that under the language of this bill—and this language is in the report on the bottom of page 8 by the way—as I say, the language provides:

The committee also contemplates that the Secretary will establish and enforce by adequate inspection humane standards concerning the health, well-being, and safety of dogs and cats at auction sales of these animals. Humane standards would of course include housing, feeding, ventilation, and watering criteria.

This would be on any premises or elsewhere.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from New Jersey [Mr. HELSTOSKI], to the amendment offered by the gentleman from Ohio [Mrs. BOLTON].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mrs. BOLTON].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. DUNCAN of Oregon, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 13881) to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals intended to be used for purposes of research or experimentation, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the

amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. BOLTON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentlewoman opposed to the bill?

Mrs. BOLTON. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. BOLTON moves to recommit the bill 13881 to the Committee on Agriculture.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the yeas had it, and that the motion was not agreed to.

The SPEAKER. The question is on passage of the bill.

For what purpose does the gentleman from New Jersey rise?

Mr. HELSTOSKI. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. HELSTOSKI. I would like to have the yeas and nays on the motion to recommit.

The SPEAKER. The Chair will state that that stage has already been passed. The question is now on the passage of the bill.

The question was taken; and the Speaker announced that the yeas appeared to have it.

YEAS AND NAYS DEMANDED

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 352, nays 10, not voting 70, as follows:

[Roll No. 76]

YEAS—352

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| Abernethy | Bow | Collier |
| Adair | Brademas | Conable |
| Adams | Brooks | Conte |
| Addabbo | Broomfield | Conyers |
| Anderson, III. | Brown, Clarence J., Jr. | Craley |
| Anderson, | Broyhill, N.C. | Cramer |
| Tenn. | Broyhill, Va. | Cunningham |
| Andrews, | Buchanan | Curtin |
| George W. | Burke | Daddario |
| Andrews, | Burton, Calif. | Dague |
| Glenn | Burton, Utah | Daniels |
| Andrews, | Byrne, Pa. | Davis, Wis. |
| N. Dak. | Byrnes, Wis. | Dent |
| Arends | Cabell | Denton |
| Ashbrook | Callan | Derwinski |
| Ashmore | Carey | Devine |
| Aspinall | Casey | Dickinson |
| Bandstra | Cederberg | Diggs |
| Baring | Chamberlain | Dole |
| Barrett | Chelf | Donohue |
| Bates | Clancy | Dorn |
| Battin | Clark | Dow |
| Belcher | Clausen, | Downing |
| Bell | Don H. | Dulski |
| Bennett | Clawson, Del. | Duncan, Oreg. |
| Berry | Cleveland | Duncan, Tenn. |
| Bingham | Clevenger | Dwyer |
| Boland | Cohelan | Dyal |
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| Edmondson | Kornegay | Resnick |
| Edwards, Ala. | Kunkel | Rhodes, Ariz. |
| Edwards, Calif. | Kupferman | Rhodes, Pa. |
| Erlenborn | Laird | Rivers, S.C. |
| Everett | Landrum | Robison |
| Evins, Tenn. | Langen | Rodino |
| Fallon | Latta | Rogers, Fla. |
| Farnsley | Leggett | Rogers, Tex. |
| Farnum | Lennon | Ronan |
| Fascell | Lipscomb | Roncaglio |
| Findley | Long, La. | Rooney, Pa. |
| Fino | Long, Md. | Rosenthal |
| Fisher | Love | Rostenkowski |
| Flood | McCarthy | Roush |
| Foley | McClary | Roybal |
| Ford, Gerald R. | McCulloch | Rumsfeld |
| Ford, | McDowell | Ryan |
| William D. | McEwen | Satterfield |
| Fountain | McFall | St. Germain |
| Fraser | McGrath | St. Onge |
| Frelinghuysen | McVicker | Saylor |
| Friedel | Macdonald | Scheuer |
| Fulton, Pa. | MacGregor | Schisler |
| Gallagher | Machen | Schmidhauser |
| Garmatz | Mackay | Schneebeli |
| Gathings | Mackie | Schweiker |
| Gettys | Mahon | Secrest |
| Gialmo | Mailliard | Selden |
| Gibbons | Marsh | Senner |
| Gilbert | Martin, Mass. | Shipley |
| Gilligan | Martin, Nebr. | Shriver |
| Gonzalez | May | Sikes |
| Goodell | Meeds | Sisk |
| Grabowski | Michel | Skubitz |
| Gray | Miller | Slack |
| Green, Oreg. | Mills | Smith, Calif. |
| Green, Pa. | Minish | Smith, Iowa |
| Greigg | Mink | Smith, N.Y. |
| Grider | Minshall | Smith, Va. |
| Gross | Monagan | Springer |
| Grover | Moore | Stafford |
| Gubser | Moorhead | Staggers |
| Gurney | Morgan | Stalbaum |
| Hagen, Calif. | Morris | Stanton |
| Haley | Morrison | Steed |
| Hall | Morse | Stephens |
| Halleck | Morton | Stratton |
| Hamilton | Mosher | Stubblefield |
| Hanley | Moss | Sullivan |
| Hanna | Muiter | Talcott |
| Hansen, Idaho | Murphy, Ill. | Taylor |
| Hansen, Iowa | Murphy, N.Y. | Teague, Calif. |
| Hansen, Wash. | Murray | Tenzer |
| Hardy | Natcher | Thomas |
| Harsha | Nedzi | Thompson, Tex. |
| Harvey, Ind. | Nelsen | Thomson, Wis. |
| Harvey, Mich. | O'Brien | Todd |
| Hathaway | O'Hara, Ill. | Trimble |
| Hawkins | O'Hara, Mich. | Tuck |
| Hechler | O'Konski | Tunney |
| Henderson | Olsen, Mont. | Tuten |
| Herlong | Olson, Minn. | Udall |
| Hicks | O'Neal, Ga. | Ullman |
| Holifield | O'Neill, Mass. | Utt |
| Holland | Ottinger | Van Derlin |
| Horton | Passman | Vanik |
| Hosmer | Patten | Vigorito |
| Howard | Pelly | Vivian |
| Hull | Pepper | Waggoner |
| Hungate | Perkins | Walker, Miss. |
| Huot | Philbin | Walker, N. Mex. |
| Hutchinson | Pickle | Watkins |
| Ichord | Pike | Watson |
| Irwin | Pirnie | Watts |
| Jacobs | Poage | Weltner |
| Jennings | Poff | Whalley |
| Joelson | Pool | White, Idaho |
| Johnson, Calif. | Powell | White, Tex. |
| Johnson, Pa. | Price | Whitener |
| Jonas | Pucinski | Whitten |
| Jones, Ala. | Purcell | Widnall |
| Jones, Mo. | Quie | Wilson, Bob |
| Jones, N.C. | Quillen | Wilson, |
| Karsten | Race | Charles H. |
| Karth | Randall | Wolf |
| Kastenmeier | Redlin | Wright |
| Kee | Rees | Wyatt |
| Keogh | Reid, Ill. | Wylder |
| King, Calif. | Reid, N.Y. | Yates |
| King, N.Y. | Reifel | Young |
| King, Utah | Reinecke | Younger |

NAYS—10

| | | |
|---------------|-----------|--------------|
| Bolton | Corman | Martin, Ala. |
| Brown, Calif. | Helstoski | Sweeney |
| Cahill | Krebs | |
| Cameron | McDade | |

NOT VOTING—70

| | | |
|-----------|----------|----------|
| Abbitt | Betts | Callaway |
| Albert | Blatnik | Carter |
| Annunzio | Boggs | Celler |
| Ashley | Bray | Colmer |
| Ayres | Brock | Cooley |
| Beckworth | Burleson | Corbett |

| | | |
|---------------|----------------|----------------|
| Culver | Hagan, Ga. | Patman |
| Davis, Ga. | Halpern | Reuss |
| Dawson | Hays | Rivers, Alaska |
| de la Garza | Hébert | Roberts |
| Delaney | Jarman | Rogers, Colo. |
| Dingell | Johnson, Okla. | Rooney, N.Y. |
| Dowdy | Keith | Roudebush |
| Edwards, La. | Kelly | Scott |
| Ellsworth | Kirwan | Sickles |
| Evans, Colo. | Kluczynski | Teague, Tex. |
| Farbstein | McMillan | Thompson, N.J. |
| Feighan | Madden | Toll |
| Flynt | Mathias | Tupper |
| Fogarty | Matsunaga | Williams |
| Fulton, Tenn. | Matthews | Willis |
| Fuqua | Mize | Zablocki |
| Griffin | Moeller | |
| Griffiths | Nix | |

So the bill was passed.

The Clerk announced the following pairs:

Mr. Boggs with Mr. Corbett.
 Mr. Rooney of New York with Mr. Betts.
 Mrs. Kelly with Mr. Halpern.
 Mr. Teague of Texas with Mr. Carter.
 Mr. Fulton of Tennessee with Mr. Brock.
 Mr. Culver with Mr. Keith.
 Mr. Hébert with Mr. Mathias.
 Mr. McMillan with Mr. Mize.
 Mr. Dingell with Mr. Bray.
 Mr. Dowdy with Mr. Callaway.
 Mr. Patman with Mr. Roudebush.
 Mr. Delaney with Mr. Ayres.
 Mr. Moeller with Mr. Griffin.
 Mr. Annunzio with Mr. Ellsworth.
 Mr. Toll with Mr. Tupper.
 Mr. Zablocki with Mr. Matthews.
 Mr. Madden with Mr. de la Garza.
 Mr. Cooley with Mr. Celler.
 Mr. Burleson with Mr. Ashley.
 Mr. Albert with Mr. Hays.
 Mr. Colmer with Mr. Rivers of Alaska.
 Mr. Nix with Mr. Farbstein.
 Mrs. Griffiths with Mr. Willis.
 Mr. Fogarty with Mr. Williams.
 Mr. Feighan with Mr. Sickles.
 Mr. Rogers of Colorado with Mr. Scott.
 Mr. Blatnik with Mr. Dawson.
 Mr. Jarman with Mr. Matsunaga.
 Mr. Kirwan with Mr. Edwards of Louisiana.
 Mr. Flynt with Mr. Thompson of New Jersey.
 Mr. Fuqua with Mr. Reuss.
 Mr. Hagan of Georgia with Mr. Evans.
 Mr. Kluczynski with Mr. Roberts.
 Mr. Davis of Georgia with Mr. Johnson of Oklahoma.
 Mr. Abbitt with Mr. Beckworth.

Mr. ADAMS changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs and cats intended to be used for purposes of research or experimentation, and for other purposes."

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ADJOURNMENT OVER TO MONDAY, MAY 2, 1966

Mr. SISK. Mr. Speaker, I ask unanimous consent that when the House ad-

journs today that it adjourn to meet at 12 o'clock noon on Monday next.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that the Committee on Interior and Insular Affairs have until Saturday night, April 30, to file a report on H.R. 13417.

The SPEAKER. Is there objection to the request of the gentleman from Colorado? The Chair hears none, and it is so ordered.

There was no objection.

LEGISLATIVE PROGRAM—ADDITION OF BILL TO BE CONSIDERED UNDER SUSPENSION OF THE RULES

(Mr. SISK asked and was given permission to address the House for 1 minute.)

Mr. SISK. Mr. Speaker, I rise for the purpose of adding a bill to the suspension calendar on Monday of next week. I ask that H.R. 13417 be added to the bills which will be called up under suspension of the rules on Monday next.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. SISK. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. Will the gentleman from California read the title of the bill?

Mr. SISK. I yield to the gentleman from Colorado [Mr. ASPINALL] to announce the title of the bill.

Mr. ASPINALL. The bill (H.R. 13417) is an act to amend the act of October 4, 1916; to facilitate the efficient preservation and protection of certain lands in Prince Georges and Charles Counties, Md., and for other purposes.

Mr. GERALD R. FORD. I thank the gentleman.

COMMITTEE ON EDUCATION AND LABOR

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent to have until midnight tomorrow to file a report on the Higher Education Act of 1966.

The SPEAKER. Is there objection? The Chair hears none, and it is so ordered.

There was no objection.

ADDITIONAL LEGISLATIVE PROGRAM

Mr. SISK. Mr. Speaker, at this time I wish to announce an addition to the suspension calendar for Monday, May 2, 1966. At that time we will consider H.R. 14644, the Higher Education Act of 1966.

COLUMNISTS CHARGE THAT MARTIN IS GREATER THREAT TO GREAT SOCIETY THAN VIETNAM WAR

(Mr. PATMAN asked and given permission to extend his remarks at this